

Appendix 8.5-B4

DEIS Comments, Individual Letters



Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

On behalf of the U.S. Superyacht Association, I write today to provide comments of the Association on the Federal Railroad Administrations recently released Draft Environmental Impact Statement on the All Aboard Florida rail project (<https://www.fra.dot.gov/Page/P0672>).

As we understand it, you are seeking comments from the public on the impact of the proposed All Aboard Florida operations. We are concerned directly regarding the opening and closure schedules of the bridges that cross three of the region's rivers, all of which are heavily used regularly by vessel owners and businesses. The three waterways affected are the New River in downtown Fort Lauderdale; the Loxahatchee River in Jupiter; and the St. Lucie River, Okeechobee Waterway, in Stuart.

By way of background, the U.S. Superyacht Association (USSA) is a trade association representing hundreds of business and thousands of individuals supporting the unique needs of the large yacht segment of the marine industry. This support equates to thousands of jobs and tremendous economic impact on our economy. These jobs relate to all the activities that support boating lifestyles from family cruising and fishing to yachts as well as the skilled positions that produce the goods and services that sustain those activities.

Specifically, a large percentage of the USSA represent these jobs and economic activities drive the economic output in the South Florida region, principally in the tri-county area comprised of Broward, Dade, and Palm Beach counties. The marine industry is the backbone of the South Florida economy and, further, the recreational marine industry is a significant sector of Florida's economy. In particular, 75% of South Florida's recreational vessel repair facilities are upstream from the bridges used by rail.

A recent economic impact study confirmed that the manufacturing, wholesale trade, retailing, dockage, and service sectors comprising this industry increasingly are economically significant particularly as Florida's resident and tourist population increased. The size of the recreational marine industry is matched by the depth and diversity of its businesses and supporting jobs. There is a reason why South Florida is called the yachting capital of the world. In fact it is the gateway of the superyacht industry in the United States. More yachts enter the United States through the affected



waterways than anywhere in the United States. The marine industry is the backbone of the South Florida economy as well as the yacht service work in the United States.

Needless to say changes in bridge closures from current practice will directly affect the users of the waterways by making the channels under each bridge less available for vessel traffic. Recently the representatives flatly said they could not operate the proposed train schedule with the current bridge closure schedule. In essence the new operational schedule of the All Aboard Florida train will change the bridge operations by increasing the number of closures of the bridges and, consequently, the increased of the number of closures will result in a decrease in the time that a bridge will be open for this important industry.

Thus, the USSA is concerned that the waterways on which our membership and their customers rely will be less available to the detriment of this vital and growing industry. In addition, the Association is concerned that additional closures may result in bridge malfunctions that would result in extended closures and business disruption. Finally, train schedule or operational disruptions may further make changes to the planned closures in an unpredictable manner. These factors can only be detrimental to the economics of our industry.

With this as background, we believe that the Draft EIS exhibits a complete misunderstanding of what the marine industry is and dramatically understated and misrepresented the impact of the proposed train operations on the economics and use of the waterways. In short, the Draft EIS completely understates the economic importance of the industry and as a result the economic impact the All Aboard Florida train operations will have on it. Further, we note a complete failure to consult marine industry in preparing the DEIS, which may explain the deficiencies in the Draft EIS.

Consequently we are taking the opportunity to submit these detailed comments. The Draft EIS uses flawed economic measures and employment metrics. There is little if any recognition of the multiplier effects (real estate, businesses, etc.). Additionally, the Draft EIS fails to take into account the substantial and continuing dredging investments that federal, state, and local authorities have made to facilitate this industry.

We have already briefly described the impact of the new AAF service on bridge closures. The number of closures will increase. The total time of closures will increase. Beyond these obvious facts, we wanted to outline the specific concerns of the industry regarding the effect of the increased rail traffic on our industry.



1. Increased closure time. We understood the goal was to keep the bridges in the open position a minimum of 40 minutes per hour. But the train schedule may keep it open only 30 minutes. Wait times and related costs associated with a change in openings will result. Further, peak vessel travel times on holidays and major public events will be seriously affected.
2. Unsafe disruption of vessel traffic. The ability to moor a vessel to wait for a bridge closure with the strong currents in the waterways may create an increased unsafe condition with any increase in closures. The size of many vessels and configuration of the navigable channel contributes to the need for predictability of the use of the waterways. A plan to develop communications with first responders and emergency personnel is also seriously lacking.
3. Incompatibility with tide changes. Currently vessel traffic depends on favorable tides to navigate the rivers to locations upstream for mooring or for maintenance, repair, or refitting. The size of a vessel often requires certain sea conditions be present. Missing a favorable tide will cause delays and disrupt scheduling of these activities. This may discourage potential customers from using the facilities upstream of the bridges.
4. Bridge failures and time of bridge repair. The inability to repair a bridge that is inoperable in the closed position in a timely manner would shut down traffic on the waterways altogether. A substantial portion of the vessels that use the waterways would be affected and the businesses that are dependent on the ability of vessels to navigate the waterway would suffer as a result. Both vessels and businesses would find themselves stranded upstream should a bridge become inoperable.
5. Unpredictable train schedule changes and resultant disruption to bridge closure schedule. Any variation in the train schedule for any reason would create uncertainty in bridge operations and has an impact on waterways use. Random or unpredictable duration of closures leads to disruption availability of the waterways and to a real threat of an unsafe condition for navigation. Future projections for increased rail traffic (corridor capacity) would further degrade the navigability of the waterways.

We believe the Draft EIS has not adequately addressed alternatives that could obviate the effects of the proposed train operations. If raised bridges were constructed, there would be no closures to hamper the vessel traffic on the affected waterways. As a result the growing and significant marine industry would be able to continue to be the growing and flourishing economic engine of the South Florida region that it has become without a threat to the increasing number of jobs and economic activity that the industry fosters.



We question whether adequate consideration has been given to alternative routes to minimize impact on the waterways. We believe it may be feasible to shift the freight traffic to routes west of the affected navigable waters and urban areas. Additionally, the Draft EIS does not adequately address the corridor capacity issues. The current proposal results in more bridge closure time and thus denying availability of the waterway for use. The operation of the train in the proposed manner will become an unreasonable obstruction to navigation. The preexisting and established businesses with suffer and use by vessel owners will become untenable. Future increase in train traffic will only make this worse. All Aboard Florida is only a passenger train operation. Thus we believe that future increases in freight operations must also be considered and addressed now.

Having stated this we believe appropriate mitigation measures may obviate the impact that the train schedule could have. We have assembled the following mitigation measures to address industry concerns and to improve operations at the New River Bridge, Loxahatchee River Bridge, and St. Lucie River Bridge. Mitigation measures may minimize the impact that the train schedule could have. Those offered by All Aboard Florida are minimal and need to be expanded. Mitigation measures (including some of which have been suggested by AAF) should include:

1. Add a tender at the New River Bridge to allow better communication with commercial and other vessels.
2. Develop a set schedule for the closures of the bridge for passenger rail service so that the bridges are closed for a minimum of 12 minutes for each closure and open for a minimum of a total of 40 minutes each hour.
3. Provide public access to the bridge closure schedules in an internet-accessible format, including a compatible smart phone application that is maintained by AAF.
4. Post schedules for each bridge on the AAF website and/or the USCG website. This will allow the boating community to plan their trips to avoid wait times and related costs associated with the Proposed Action.
5. Implement an adequate notification by sign, signal, and horn at each bridge location with countdowns to indicate the times at which the bridge will begin to close and open.
6. Develop emergency plans that incorporate hurricane and other response plans and formal contact with law enforcement, first responders, and emergency personnel



- at all times to ensure that roadways are not blocked by train operations to provide for their access.
7. Develop coordination plans between AAF and local authorities during peak vessel travel times on holidays and major public events.
 8. Develop coordination plans between AAF and the USCG to promote communication with the commercial and recreational boating communities.
 9. Manage train operations to minimize bridge closures, including electronic and camera monitoring.
 10. Publish bridge closure schedule to be readily available for waterway users (internet, notice to mariners, etc.).
 11. Fund a bridge tender with ability to communicate with waterway users.
 12. Prompt notification of bridge closure schedule changes.
 13. Install signal and PTC upgrades as well as an obligation to make future best available technology improvements to ensure optimum train operations.
 14. Install a 21' drawbridge to accommodate potential future commuter traffic.
 15. Penalties for unscheduled bridge closures caused by AAF shall be established assessed on a daily basis and a graduated scale related to frequency of infractions, and adjusted for inflation. Closures in excess of the minimum shall be considered an unscheduled closure.
 16. Stockpile spare parts to facilitate prompt repairs in the case of a bridge failure.
 17. Establish a fund to provide compensation for interruptions to waterway use, e.g. in the case of bridge failure.
 18. Establish and fund a citizens' advisory committee as a watchdog to oversee train operations and make recommendations to public officials.
 19. Provide adequate and safe mooring for vessels forced to wait in the event of an unscheduled closure.
 20. Provide for response vessels to be able to render assistance to vessels in the waterway in the case of sudden or disruptive bridge closures.



21. Determine future corridor capacity needs to evaluate potential impacts.
22. Publish a periodic report on bridge closures and impact on waterways use, including projections on corridor capacity, and a database that is maintained on operations derived from monitoring operations.

These mitigation measures presuppose that alternatives are not pursued. Pursuing alternatives however may alleviate or eliminate the need for some of these specific measures. The EIS should therefore carefully examine and address the alternatives available to the train. The requirement to raise the elevation of bridges should be examined. If raised sufficiently high, the waterways would not be impacted.

In addition, the alternative of moving rail traffic to the west on alternative routes should also be carefully examined. Needless to say, if rail traffic can be rerouted to the west of the affected areas of the currently proposed operations, the need for mitigation is a very different proposition. The number of closures would be reduced and thus the impact on the waterways and the businesses and vessels that depend on them is diminished. Thus the mitigation measures could be scaled accordingly to meet the new circumstances. The use of the waterways is essential and integral to the marine industry and there is no alternative for it. The final EIS should explicitly recognize this.

Barring the pursuit of an alternative, all of the mitigation measures must be implemented so that the proposed train operations will minimize the negative impacts on the marine industry. These are based on the proposed train traffic for passenger, freight, and local train traffic patterns. No future expansion of the rail operations can be made without public review of any future plans and corresponding adjustment of mitigation measures. We urge the Federal Railroad Administration to consider these measures and comments for inclusion in the final EIS.

Thank you for the opportunity to provide the U.S. Superyacht Association comments on the impacts of the proposed train operations on the vessel traffic dependent on the waterways affected. Please let me know if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Mann, III".

John J. Mann, III
Chairman

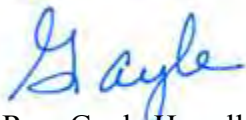
freight trains that will pass through our communities. The DEIS estimates that the number of trains will increase from 10 to 20 per day by 2019 and the length of each train will increase to over 8,100 feet. The negative impact on vehicular and marine traffic of 52 road and bridge closures per day (20 freight and 32 passenger trains) on our communities will be very significant, especially given the fact that the AAF tracks run through the downtown sections of several cities on the Treasure Coast and cross the St. Lucie River and Loxahatchee River at various locations.

In addition to the above concerns, we question the accuracy of the estimated ridership of approximately 3.5 million passengers per year in 2019 and exceed 4 million by 2030. At a time when most passenger rail in the United States has to be subsidized by government in order to remain operational and has limited ridership, we question the assumption that by 2019 3.5 million visitors or local residents per year will forgo driving or flying between Miami, Ft. Lauderdale or West Palm Beach to Orlando to use AAF.

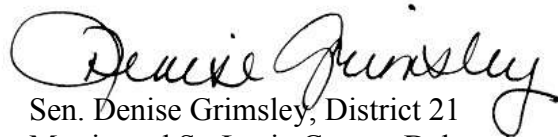
The undersigned Members of the Martin County, St. Lucie County and Indian River County Delegations respectfully request that prior to approving the All Aboard Florida loan or project you carefully and specifically address the concerns expressed in this letter as well as those presented by local governmental entities and the citizens of the Treasure Coast. Should AAF be unable to ameliorate adequately the specific negative impacts of this project on the citizens of the Treasure Coast, we recommend that the loan be denied and the project rejected.

Thank you for your careful consideration of this very important matter.

Sincerely,



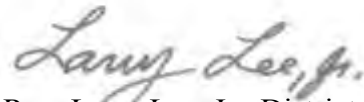
Rep. Gayle Harrell, District 83
Martin and St. Lucie County Delegation



Sen. Denise Grimsley, District 21
Martin and St. Lucie County Delegation



Rep. MaryLynn Magar, District 82
Martin County Delegation



Rep. Larry Lee, Jr., District 84
St. Lucie County Delegation



Rep. Debbie Mayfield, District 54
St. Lucie and Indian River County Delegation



Sen. Thad Altman, District 16
Indian River County Delegation



TREASURE COAST LEGISLATIVE DELEGATION

751 SE PORT ST. LUCIE BLVD.
PORT ST. LUCIE, FL 34984
(772) 871-7660
FAX: (772) 871-7662

REP. DEBBIE MAYFIELD
CHAIR

REP. GAYLE HARRELL
VICE-CHAIR

SENATORS

DENISE GRIMSLEY
DISTRICT 21

JOE NEGRON
DISTRICT 32

THAD ALTMAN
DISTRICT 16

REPRESENTATIVES

GAYLE HARRELL
DISTRICT 83

LARRY LEE, JR.
DISTRICT 84

MARYLYNN MAGAR
DISTRICT 82

DEBBIE MAYFIELD
DISTRICT 54

CARY PIGMAN
DISTRICT 55

John Winkle, Director
Federal Railway Administration
1200 New Jersey Ave, S.E., Room W 38-31
Washington, D.C. 20590
Via email: AAF_comments@vhb.com

Re: Draft Environmental Impact Statement on All Aboard Florida

Dear Sir:

The intent of the Draft Environmental Impact Statement (DEIS) regarding All Aboard Florida's (AAF) proposal to provide intercity passenger rail service between Miami and Orlando is to disclose all environmental effects associated with the project whether they are beneficial or adverse and allow the public to comment on them. Please accept this letter as the combined comments of the undersigned Members of the Legislative Delegations for Martin County, St. Lucie County and Indian River County.

Having read the DEIS, we would like to express our deep concern over the findings of the report. We share the concerns of our fellow citizens of the Treasure Coast as they have expressed them to us individually or corporately through their elected bodies in Resolutions passed by Martin, St. Lucie and Indian River counties, along with the cities of Stuart, Port St. Lucie, Fort Pierce, St. Lucie Village and Vero Beach.

It is evident from the DEIS that the AAF proposal to run 16 round trip, high speed trains from Miami to Orlando concentrates the public benefit in communities where stations are proposed, Miami, Fort Lauderdale, West Palm Beach and Orlando, with virtually no public benefits north of Palm Beach County. We also feel that the DEIS does not adequately address the specific negative impacts AAF would have on the citizens of the Treasure Coast. It minimizes or narrowly touches on the health, safety and traffic operations, economic, fiscal, environmental and quality of life impacts our residents and local governments will experience as a result of the approval of All Aboard Florida. **(See attached list.)**

The addition of a second track, the straightening of curves and modification of bridges by AAF will also significantly increase the capacity of the Florida East Coast Railroad to transport freight. We have great concerns about the anticipated increase in the number and length of

From: Susan Mehiel [mailto:susanm@ersmd.com]
Sent: Tuesday, December 09, 2014 11:09 AM
To: rick.scott@eog.myflorida.com; ananth.prasad@dot.state.fl.us; fred.wise@dot.state.fl.us
Cc: Greg_Langowski@rubio.senate.gov; Winkle, John (FRA); CongressmanPatrick.Murphy@mail.house.gov; steve.crisafulli@myfloridahouse.gov; Debbie.Mayfield@myfloridahouse.gov; (NEGRON.JOE.WEB@flsenate.gov); Burns, Stuart
Subject: FRA, FDOT, and the All Aboard Florida Nightmare

Dear Governor Scott and Secretary Prasad:

With the delivery of over 8,000 responses to the draft EIS for All Aboard Florida released by the FRA, our concern for the safety of residents along the Treasure Coast grows exponentially. The most egregious thing about the EIS is not a single error in analysis or inaccurate projection (of which there are many) but the omission of an integral part of the environment in which the new system will be operating – **high speed trains will be sharing tracks with ever increasing numbers of freight trains**. All activity on the FEC corridor should be considered and the FRA and FDOT should not be analyzing the effects of 32 speed trains per day ripping through our communities but the impact of 54 trains per day – 32 HSR and over 22+ freight – as projected by AAF.

Our research has revealed that at least 3 freight rail companies believe strongly that trains running 110 mph should not share tracks with freight. Union Pacific is fighting this issue in the northwest where the Portland Business Journal reports, “UP has raised safety and liability concerns about expanding passenger rail and stated publicly that it will **never allow speeds above 79 miles per hour** on its tracks...” *“If (high-speed rail) is something that the public wants to pursue, we would coach you to find a different right of way,”* Union Pacific spokesman Brock Nelson.

Ironically at the same time, CSX in upstate NY is fighting the prospect of HSR on its freight line in another FRA draft EIS. “The freight railroad opposed alternatives that would use its property to boost top train speeds from the current 79 mph to either 90 mph or 110 mph. It favored an alternative that would **require an entirely new rail line separate from CSX’s existing corridor**.” (Albany, Times Union)

In the mid-90’s it was reported, “Amtrak wants to upgrade existing U.S. tracks so they can be used as high-speed passenger corridors. Conrail, the principal freight hauler in the Northeast, says ‘we ask that people understand **the serious danger and service degradation** resulting from (the) combination...with such disparate speed on the same or adjacent track...” (The Philadelphia Inquirer)

The concept of sharing tracks is also dangerous when you add hazardous waste to the mix. We are aware that the FEC freight line is currently carrying liquid asphalt and, if not already, it will be carrying liquid propane and ethanol among other hazardous materials. Imagine a derailment or other accident involving a freight train carrying one of these materials when minutes later an AAF train reaches the scene careening into the accident at 110 mph.^[i]

We continue to be alarmed by the number of at grade crossings on the proposed AAF route. Again, our research reveals route issues are being studied in a FRA Draft EIS in Texas where HSR is being proposed to connect Dallas and Houston.

Fortunately for the residents on that route, *“More than 100 miles of the 240-mile corridor would **be built on elevated tracks to reduce the impact** on communities, said Travis Kelly, Texas Central Railway’s vice president for government relations.”* [ii]

Following the FRA’s Phase 1 On-sight Engineering Field Report of grade crossing safety was the Phase 2 Report (attached) and we see a troubling pattern developing – additional, expensive, safety upgrades required for over 100 northern crossings. To combat the threat to our safety of speed trains as best as possible, the FRA is now recommending pedestrian swing gates, pre-emption systems and consultant monitoring to name a few. More worrisome is the fact that the FRA’s survey includes ‘recommendations’ and not ‘federal requirements’ and we have yet to see any commitment in writing from AAF regarding what they will implement and how much it will cost the taxpayers. The fact remains that **no HSR in the world crosses this many at grade crossings at 110 mph.**

In a letter to me dated May 1, 2014, Secretary Prasad said that *“**Even though the FRA have the ultimate authority on the grade crossing improvements, the Department will have input in the final decision and will not permit any condition that puts communities at risk from the All Aboard Florida project.**”* However, we have heard from a number of FRA representatives that the FRA cannot **require** implementation of the Part 1 and 2 On-Site Engineering Field Reports and cannot stop AAF if they do not comply with FRA recommendations for crossing designs.

We are therefore perplexed when FDOT personnel continue to point to the FRA as the responsible agency to approve or deny crossing improvements at 349 crossings between Miami and Cocoa. With the lives of so many residents of the Treasure Coast hanging in the balance, we once again ask you to clarify your responsibilities and those of the FRA as they relate to the following document notations:

COMPILATION OF STATE LAWS AND REGULATIONS AFFECTING HIGHWAY-RAIL GRADE CROSSINGS,
5TH EDITION, October, 2009

Florida state law includes:

The Florida Department of Transportation has regulatory authority over all public highway-rail grade crossings in the state...A public highway-rail grade crossing is defined in the Florida statute as any location at which a railroad track is crossed at-grade by a public road.

The department is mandated to work with the various railroad companies to develop and initiate a program for the expenditure of funds for the performance of projects aimed at reducing grade crossing hazards. Fla. Stat. Ann. § 335.141 (2009).

The Florida Department of Transportation, in conjunction with other governmental units and the private sector, is tasked with the responsibility of developing and implementing a statewide rail program designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system. Among the myriad of duties under the statute, the Department is required to administer rail operations and construction, including the regulation of maximum train operating speeds, the opening and closing of public grade crossings, the construction and rehabilitation of public grade crossings, and the installation of traffic control devices at public grade crossings. Fla. Stat. Ann. § 341.302 (2009).

CHAPTER 2: CROSSING TREATMENT PROCEDURES

(7) Develop and administer state standards concerning the safety and performance of rail systems, hazardous material handling, and operations. Such standards shall be developed jointly with representatives of affected rail systems, with full consideration given to nationwide industry norms,

(11) Coordinate and facilitate the relocation of railroads from congested urban areas to non urban areas when relocation has been determined feasible and desirable from the standpoint of safety, operational efficiency, and economics.

(17) Exercise such other functions, powers, and duties in connection with the rail system plan as are necessary to develop a safe, efficient, and effective statewide transportation system. Fla. Stat. Ann. § 341-302 (2009).

There is one last question that must be asked of those planning or overseeing the safety requirements of a project like AAF – **what is the cost/benefit analysis of preventing a death, particularly for a profit making business operating HSR?** The article attached from the US DOT gives background on the concept of the Value of a Statistical Life (VSL), “defined as the additional cost that individuals would be willing to bear for improvements in safety...that, in the aggregate, reduce the expected number of fatalities by one.” ^[iii]

The near epidemic proportion of accidents and deaths associated with the FEC freight system leaves little doubt that people will be killed by AAF trains and FEC freight on the coastal route. What does FDOT know of the death projections for AAF, the VSL used by AAF in their planning and their method of determining **how safe is ‘safe enough’?** As we’ve said all along, “Fortress puts Profits over Lives!”

Given the above statutes, the statements by your representatives and those of the FRA and the information revealed in the responses to the DEIS, **we would like FDOT to do the following:**

- Make a public statement regarding the safety issues covered in this letter including which agency specifically enforces safety **requirements** and what those are for 110mph operation, who monitors the health of the safety upgrades on an ongoing basis and how quickly malfunctions must be repaired, and confirm that no route in the world operates as this one is planned to do.
- Assure the public that FDOT has studied all of the HSR threats presented by industry experts and can confidently say that there will not be an increase in deaths when 32 HSR trains per day are added to the FEC freight route.
- Make a public statement about the project’s criteria used to value general public lives and who represents the citizens of Florida in the cost/benefit analysis conducted by AAF to determine how much profit they want to forego to save a life.
- Assure the public that FDOT or the FRA is enforcing all new industry norms regarding the carrying of hazardous material by, and the design of, tanker and other types of rail cars.
- Make a public statement confirming the facts that Positive Train Control is in the developmental stages, was not developed to improve safety at crossings and has yet to be tested and found without flaws.
- Assure the public that FDOT has weighed the potential for deaths on the Treasure Coast route, particularly given FEC’s accident and death statistics, and this is the most desirable route for HSR from a safety and efficiency standpoint.
- Require that AAF put in writing within the next 30 days specifically which FRA recommendations they will be implementing in both Phases of the project based on the FRA Crossing Surveys.

Our confidence in the FRA to protect the lives of Florida residents is not high. The agency’s dual mission of “promoting rail development” particularly HSR (on freight lines no less) plus acting as a rail safety authority creates a clear conflict of interest. In 2011, the LA Times reported that despite major problems of financing, land use, legalities and public sentiment, the FRA is committed to the construction of the proposed speed train system. As CA Congressman Nunes said about the project, ***“It is clear that high-speed rail is not about jobs. It is about corruption, public deception and bureaucratic experimentation.”*** ^[iv]

Looking to FDOT for protection reveals its own conflict of interest as it promotes the development of passenger rail and Transit Oriented Development. As a taxpayer funded entity, how do you protect the interests of the residents of the Treasure Coast who detest TOD and see the dangerous threat that AAF represents to their communities?

We believe Congressman Nunes’ description of CA HSR accurately sums up the AAF project here in Florida. Once again we call on you, Governor Scott, and you, Secretary Prasad, to be honest with the people of Florida and do all you can to move AAF off the old Flagler coastal route. **You know, and we know, that this makes no sense and is a disaster waiting**

to happen. Private business or not, it is time for you stand with the people of Florida and make an alternative route happen.

Sincerely,

Susan Mehiel
Phyllis Frey
Stop the Train Task Force
Indian River County

CC: Boards of Commissioners – Indian River County, Martin County, St. Lucie County; Vero Beach City Council

[i] <http://bigstory.ap.org/article/train-catches-fire-lynchburg-va-derailment>

[ii] <http://www.nytimes.com/2014/11/21/us/both-ends-want-bullet-train-its-those-in-middle-who-object.html?emc=eta1&r=1>

[iii] http://www.dot.gov/sites/dot.gov/files/docs/VSL_Guidance_2014.pdf

[iv] <http://articles.latimes.com/2011/dec/16/local/la-me-bullet-hearing-20111216>

Rio Civic Club

1255 N.E. Dixie Highway - Rio
P.O.Box 2, Jensen Beach, Florida 34958

Answer phone: 772-692-1163

Mission Statement:

Educating and assisting our citizens
to improve conditions in Rio



Established in 1950
Non-profit 501(c)(3) Neighborhood Volunteer Organization

November 20 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, S.E., Room W38-31
Washington, D.C. 30490
AAF_comments@vhb.com

Re: Draft Environmental Impact Statement
All Aboard Florida Project
Please Include This as Part of Public Comment

Dear Mr. Winkle:

The Rio Civic Club strongly opposes Phase II of the All Aboard Florida project because there are no benefits and the impacts will harm/reverse progress in our Community Redevelopment Area. Our neighborhood would have to deal with the increased number of trains every single day – the negative impacts to us are not offset by the benefits to South Florida. Information regarding our organization and community are provided at the conclusion of this letter.

Our concerns follow:

1. The average freight train is 8,150 feet long. A freight train waiting for the single track train bridge over the St. Lucie River will block the two crossings that lead into Rio at Alice Street and Dixie Highway. **Closed crossings** will cause long lines of vehicles to stack on two-lane Dixie Highway that will **block movement/circulation in western Rio** because all streets exit onto Dixie Highway (Rio is bounded by the railroad tracks to the north and the St. Lucie River to the south – see enclosed map). **Emissions when cars idle** while waiting for trains to pass **will affect air quality**. **Medical, law enforcement and fire response** will be seriously delayed by blocked rail crossings and long lines of waiting vehicles. School schedules and children will be adversely affected by **delayed school buses**. The **St. Lucie Nuclear Power Plant and hurricane evacuation** programs will be negatively impacted by long, back-to-back crossing closures in Rio and Jensen Beach.
2. A few years ago a freight train derailed just north of the 1920's train bridge near the Alice Street crossing. Passenger trains, **moving at an average of 76.96 m.p.h., could derail at Alice Street and Silvia Avenue curves in the rail tracks in Rio**. According to your chart in the Appendix, trains will travel at 110 m.p.h. through Martin County. Expect **increased vehicle and pedestrian incidents**.

3. As a waterfront community, our boaters will be impacted by the old Roosevelt train bridge closures for the daily 32 passenger and 14 - 20 freight trains. Per the Martin County independent study, 235 vessels pass through the train bridge daily and increases to 450 per day on weekends (in contrast to the 121 vessels in your report). There will be **very long delays for boaters at the train bridge**. It is estimated that the train bridge could be closed up to 50% of the day. Vessels must navigate single file due to the rail bridge's narrow opening, water current and wind. The **St. Lucie River is part of the cross-state canal** that is a long-established and the only navigational route/connection between the Gulf of Mexico and the Atlantic Ocean. The rail bridge was constructed in the 1920's. Sea level rise and high tides in combination with storm events could place the rail bridge under water. There are also obvious problems/delays/congestion that will occur during hurricane evacuation with large numbers of boats headed west to safe harbors.
4. The Dixie Highway and Alice Street **crossings are unsafe for walking**. Pedestrians must currently walk in the road.
5. Three-quarters of the rail track through Rio is next to **residences that will suffer increased noise and vibration**. Our commercial/industrial section will also experience the noise and vibration. That will make Rio, a Community Redevelopment Area, even **less valuable/desirable for real estate investment and new businesses**. There will be a reduction in property values because the bulk of commercial destinations and employment is located on the other side of the tracks.
6. Wildlife will suffer impacts.
7. Tourism: our motel occupancy will be impacted. There will be a financial impact to Rio's small businesses. When property values decrease and investors avoid building in Rio, our Tax Increment Finance dollars that fund redevelopment in our Community Redevelopment Area will drop. Every property in Rio will be impacted.

Suggestions to assist our community with the impacts of All Aboard Florida Phase II:

1. Provide details (a 90% plan) regarding Phase II and plans by All Aboard Florida that address the Martin County area comprehensively and thoroughly.
2. Do not block crossings with trains waiting for another train to pass or waiting to cross the St. Lucie River rail bridge.
3. Construct a new St. Lucie River train bridge with double tracks.
4. Make the Dixie Highway and Alice Street crossings safe for pedestrians/cyclists/ADA. Install sidewalks on the entire ROW including the tracks. Waive any maintenance and leasing fees for the pedestrian safety improvements. Rio wishes to install sidewalks to connect to the FEC ROW on Dixie Highway, as part of the Community Redevelopment Area Master Plan. Our closest grocery store is located west of the railroad tracks – motorized wheelchairs have great difficulty crossing the tracks now.
5. Install sound barrier walls next to residences along the FEC tracks through Rio. Whenever FDOT expands a road, they are responsible for installing sound barrier walls – FEC should do the same since All Aboard Florida is also an expansion project that will have significant impacts to Rio. The walls might also be designed/engineered to assist with absorption of some of the vibration.
6. FOR ALL OF MARTIN COUNTY: Construct an overpass so that medical, fire and law enforcement vehicles and citizens have at least one location in Stuart where traffic may cross at all times. We need quiet zones with costs borne by All Aboard Florida group.
7. One daily southbound and one daily northbound stop at a depot in Stuart would be helpful.

All improvements associated with the All Aboard Florida program should be constructed and maintained by the All Aboard Florida group in perpetuity. The inconvenience, delays, decreased property values, ability to handle emergencies in a timely manner and diminished quality of life for our CRA neighborhoods and all in Martin County are going to be significant, if Phase II is implemented.

DESCRIPTION:

Rio CRA

Total Parcel Count: 1,416

Total Parcels with a Residential Use Code: 1,311

Total Parcels with a Non Residential Use Code: 105

Total Acres of Rio CRA calculated using GIS software: 542.30

Number of households: Approximately 1,200

The Rio Civic Club, a 501(c)3 grass-roots organization, was created in 1950 to improve conditions in Rio, a Community Redevelopment Area since 1999. Our community is mostly composed of “blue-collar” workers, seniors on fixed incomes and low-to-middle income families.

Rio is located on the north shore of the St. Lucie River in Martin County and was established in 1893. Approximately 2 miles of the Florida East Coast rail line composes Rio’s northern and western boundary that runs mostly parallel to Dixie Highway. All streets that intersect Dixie Highway on the north side of Rio end at the FEC tracks. Side rails exist alongside our industrial/commercial section at the northwestern side of Rio.

Rio is bounded by the FEC tracks on the north and west, the St. Lucie River on the south and Dixie Highway to the east. Dixie Highway, also called CR 707, is the primary and only “through” corridor, and the FEC crossing on Dixie Highway near Savannah Road is the western access point into our community. Dixie Highway through Rio is one of two east-west routes in northern Martin County; therefore, Dixie Highway is important to transportation and commerce.

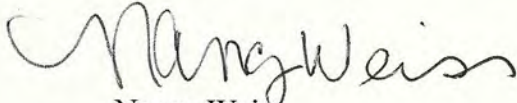
Rio is situated between the Indian River and beaches to the east and the FEC tracks to the west; the greater majority of commercial, employment, and medical destinations are located west of Rio – requiring vehicles to travel over the RR crossing at Dixie Highway and Savannah Road. The other western exit out of Rio is over the railroad crossing at Alice Street and Dixie Highway in the City of Stuart. Obviously, **all vehicular transportation headed west out of Rio or east into Rio is affected by the ability to travel through the Dixie Highway or the Alice Street RR crossings.**

Since there appears to be no plan by All Aboard Florida to double track the very old train bridge over the St. Lucie River, we anticipate having trains sit and wait for their turn to pass over that bridge. After the second set of tracks are installed to the north and south of that bridge, waiting trains could block RR crossings at Fern Street and Alice Street on the north side. Depending on the length of the waiting train, the RR crossing on Dixie Highway at our community’s primary access point, could also remain blocked for a significant amount of time. A similar situation occurs in Downtown Stuart to the south of the train bridge – and that is going to hurt life and commerce as we know it for both Rio and the City of Stuart!

A map of Rio is provided. Please take a look at the location of the railroad tracks that shows one crossing in western Rio. The items, concerns and suggestions described in this letter should become much clearer to understand, after seeing the map.

If Phase II of the All Aboard Florida project is unstoppable, then the fair treatment of our neighborhood must be considered. Thank you for this opportunity to provide comments.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Weiss".

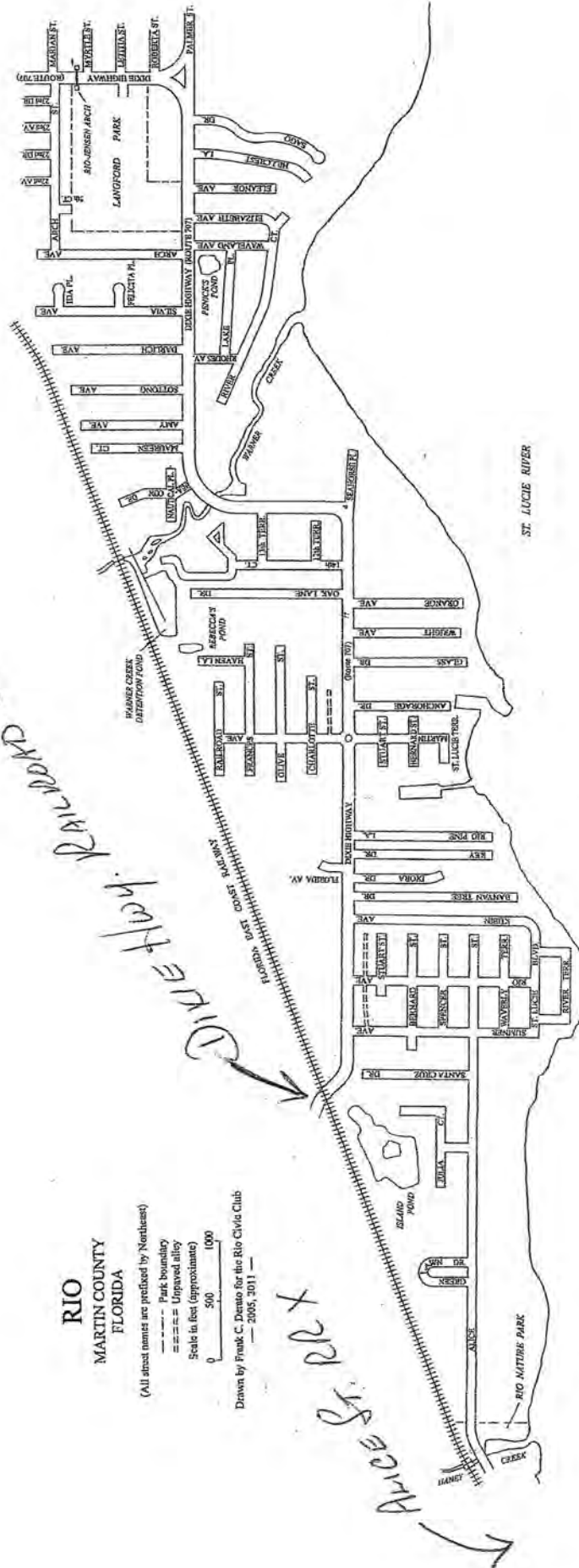
Nancy Weiss
President

Enclosure: Map of Rio
CRA Analysis of All Aboard Florida

(All street names are prefixed by Northeast)

--- Park boundary
 === Unpaved alley

Handwritten: *PL x*



MARTIN COUNTY COMMUNITY REDEVELOPMENT AREAS.

This report sets out comparison findings concerning the potential impacts of the proposed All Aboard Florida (AAF) passenger rail project upon Martin County's adopted Community Redevelopment Areas.

Martin County has seven defined Community Redevelopment Areas (CRA's). Five of the seven CRA's abut or are bisected by the Florida East Coast (FEC) Railroad, on which the AAF project will run. The addition of passenger rail onto the existing primarily freight corridor will cause an increase in overall rail traffic. Therefore, the County and its CRA's will be directly affected by increased rail traffic and the potential of more frequent closing of railroad crossings. This analysis looks at the potential impacts on the activities of populations within the CRA's.

The FEC Railroad passes through five CRA's, these are (Fig F.I – F.V);

- I. Golden Gate CRA (1 crossing).
- II. Hobe Sound CRA (2 crossings).
- III. Port Salerno CRA (4 crossings).
- IV. Jensen Beach CRA (1 crossing).
- V. Rio CRA (1 crossing).

This analysis considers the location of the railroad crossings within the CRA's and the effect that additional rail traffic may have. Data sources are taken from The American Community Survey (ACS) using the Esri 'Community Analyst' Geographic information tool. The tool utilizes five year 2008-2012 ACS estimates that were collected monthly from January 1, 2008 through December 31, 2012.

The analysis pulls out four main factors that will be used to measure and compare levels of activity/disadvantage within defined community areas to those experienced in the County as a whole. The four factors identified are:

1. Travel to Work by Walking or Bicycle.
2. Income to Poverty Level less than 1.
3. Households (HH) with disabilities.
4. Persons in receipt of Food Stamps.

METHODOLOGY

To provide a comparison for the analysis the four factors outlined above were first extracted on a County level. It was then necessary to determine the most appropriate definition to determine the extent and boundaries of the comparison areas.

The areas selected for this analysis were defined by first setting out the likely range (distance) of impact of additional rail traffic. A number of independent studies and reports detail that the proximity to a railroad is correlated to certain impacts, both negative (closer to the rail line¹) and positive (further from the rail line with a passenger stop²). As the proposed AAF project does not include passenger stops within Martin County, the analysis utilizes study findings related to the impact of additional railroad traffic without the benefit of passenger stops. Therefore, using study findings, we have defined a buffer of 1000ft either side of the rail line would be an appropriate measure.

That buffer has then been extended through the unincorporated County along the line of the FEC railroad. Only the portions of the CRA's that are within the buffer limits are extracted for comparative analysis.

ANALYSIS

Table T.1 shows the relative proportion of population within each CRA, and then within each CRA buffer. The County-wide Buffer contains approximately **8.1%** of the County population. The population of the CRA areas contained within their respective Buffer range from 10% through to 100%, and as a whole some **36%** of the population of the CRA's are located within the Buffer as it passes through each CRA. From this we are able to confirm that there is a disproportionate representation of CRA population when compared to the Countywide Buffer.

TABLE T.1	Population	Housing Units	Population % of County	Population % within Buffer
COUNTY WIDE	146497	78037		
GOLDEN GATE CRA	2829	866	1.9%	
HOBE SOUND CRA	3470	2153	2.4%	
PORT SALERNO CRA	3551	1557	2.4%	
JENSEN BEACH CRA	172	182	0.1%	
RIO CRA	2204	1474	1.5%	
COUNTY WIDE BUFFER*	11811	7121	8.1%	8.1%
GOLDEN GATE BUFFER*	284	79	0.2%	10.0%
HOBE SOUND BUFFER*	945	629	0.6%	27.2%
PORT SALERNO BUFFER*	1545	669	1.1%	43.5%
JENSEN BEACH BUFFER*	172	182	0.1%	100.0%
RIO CRA BUFFER*	1264	756	0.9%	57.4%

¹ The effect of freight railroad tracks and train activity on residential property values, Robert A. Simons & Abdellaziz El Jaouhari, 2004

²Impacts Of Rail Transit On Property Values, Roderick B. Diaz, Booz ,Allen & Hamilton Inc. Mclean, VA

TABLE T.2	Walk/Cycle to Work	Population with Income to Poverty Level <1	Food Stamps	HH with Disability
COUNTY WIDE	2.3%	12.5%	6.6%	25.6%
GOLDEN GATE CRA	7.6%	38.0%	23.8%	20.5%
HOBE SOUND CRA	13.5%	11.7%	13.2%	28.8%
PORT SALERNO CRA	1.5%	22.2%	10.9%	33.5%
JENSEN BEACH CRA	13.3%	17.0%	6.8%	28.2%
RIO CRA	1.0%	8.4%	13.9%	24.3%
COUNTY WIDE BUFFER*	5.1%	14.6%	10.1%	28.7%
GOLDEN GATE BUFFER*	11.3%	45.1%	23.9%	22.5%
HOBE SOUND BUFFER*	15.1%	17.4%	22.4%	26.1%
PORT SALERNO BUFFER*	2.7%	17.6%	8.3%	32.5%
JENSEN BEACH BUFFER*	13.3%	17.0%	6.8%	28.2%
RIO CRA BUFFER*	1.1%	6.9%	17.8%	26.9%

When the four comparative factors are examined (Table T.2), within the County as a whole (County Wide), within each CRA and then within each respective Buffer area, some discernable differences appear. The majority of factors are above the datum level set for the County. Charts A through D show a graphic representation of the various factors. The most consistent factors are those which indicate a lower income level; the percentage of people claiming Food Stamps is 6.6% County Wide, this compares to high rates in each of the CRA Buffer areas (22.4% in Hobe Sound and 23.9% in Golden Gate). Apart from the Rio CRA Buffer and Port Salerno CRA Buffer area each CRA has a significantly higher percentage than County Wide (2.3%), that use walking or cycling to travel to work (Hobe Sound 15.1%, Jensen Beach 13.3% and Golden Gate 11.3%). The lower end of the income to poverty level is higher in the majority of CRA Buffer Areas, but more significantly so in the Golden Gate CRA Buffer (45.1%) compared to County Wide (12.5%). Port Salerno CRA Buffer identifies that a high proportion of households with disability are affected (32.5%) compared to County Wide (25.6%).

The potential impacts upon Residential property values have also been analyzed. The CRA functions on revenue that is generated by increases in property values to fund improvements that are aimed at curing blight and poor economic viability. Therefore any decrease in property values has a negative effect upon capital investment and economic revitalization of these areas. Table T-3 shows the number of residential properties that are affected in each CRA buffer area. Studies¹ have shown that additional rail traffic can adversely affect property values between 5% and 7% within 750ft of a rail line. In this instance the analysis has used residential property within the 1000ft buffer strips in each CRA and has applied the lower depreciation rate of 5%.

T-3	Housing units	Average Value	Total value	5% of Value
Golden Gate Buffer	80	\$306,250	\$24,500,000	\$1,225,000
Hobe Sound Buffer	650	\$375,174	\$243,863,100	\$12,193,155
Port Salerno Buffer	674	\$185,863	\$125,271,662	\$6,263,583
Jensen Beach Buffer	189	\$213,380	\$40,328,820	\$2,016,441
Rio Buffer	745	\$178,255	\$132,799,975	\$6,639,999
Total	2338	\$242,414	\$566,763,557	\$28,338,178

The total potential impact of additional rail traffic may cause, at a minimum, an **\$28 million reduction** in residential property values within the CRA buffer area. The effect on the county wide buffer is estimated at \$90 million depreciation. The effect on Commercial property has not been analyzed.

SUMMARY

The effect of additional railroad traffic, noise and vibration is not easily quantified. However, the analysis of the County's five affected Community Redevelopment Areas has revealed distinct characteristics that show a negative deviation and disproportionate representation when compared to a County wide datum. So whatever the effect it will be seen more readily to effect these disadvantaged areas than the County as a whole.

Moreover, property values within the buffer areas may also be negatively affected. Any reduction of property values within a CRA compromise its ability to address the range of factors analyzed in this report and then, as a consequence, perpetuate and consolidate the disparity that has been identified.

Additional study will need to be undertaken to assess the potential affect upon commercial property values and traffic/boat delays at the railroad crossing points including the railway bridge over the St. Lucie River between Stuart and Rio.

Chart A. Comparison of population % that walk or cycle to work

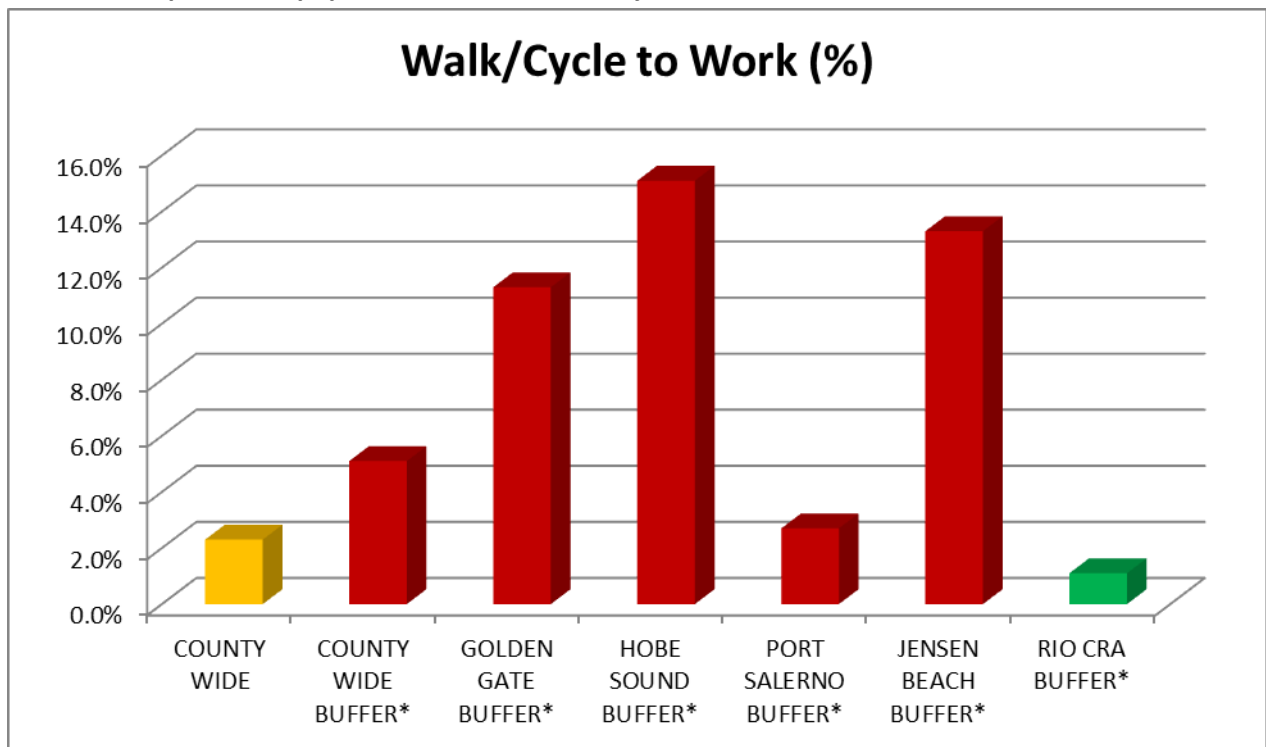


Chart B. Comparison of population % that has income to poverty level <1

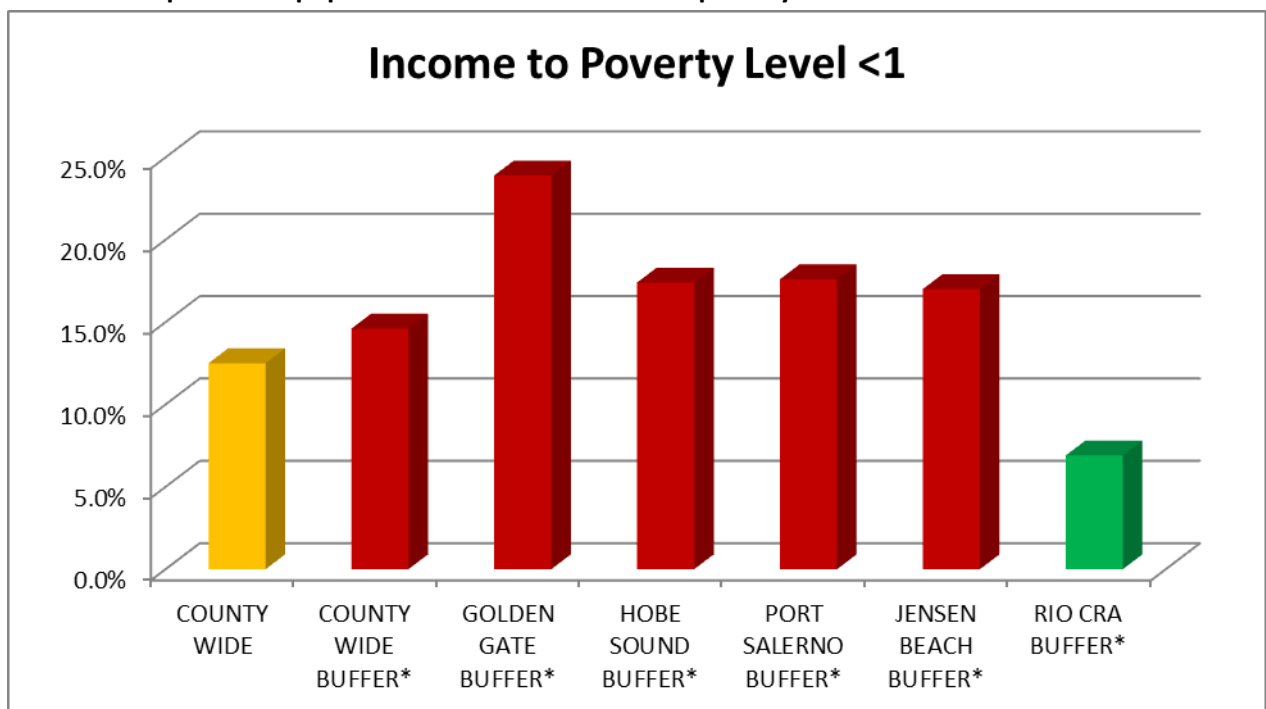


Chart C. Comparison of households % with Disability

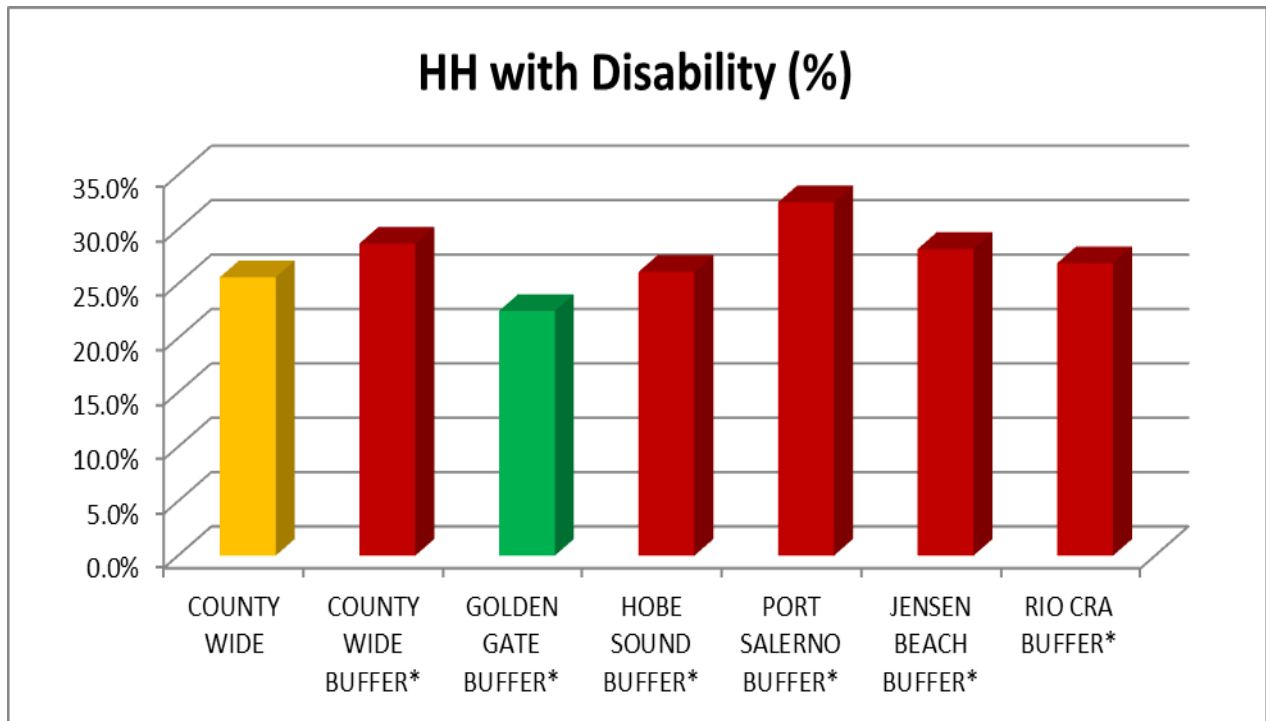
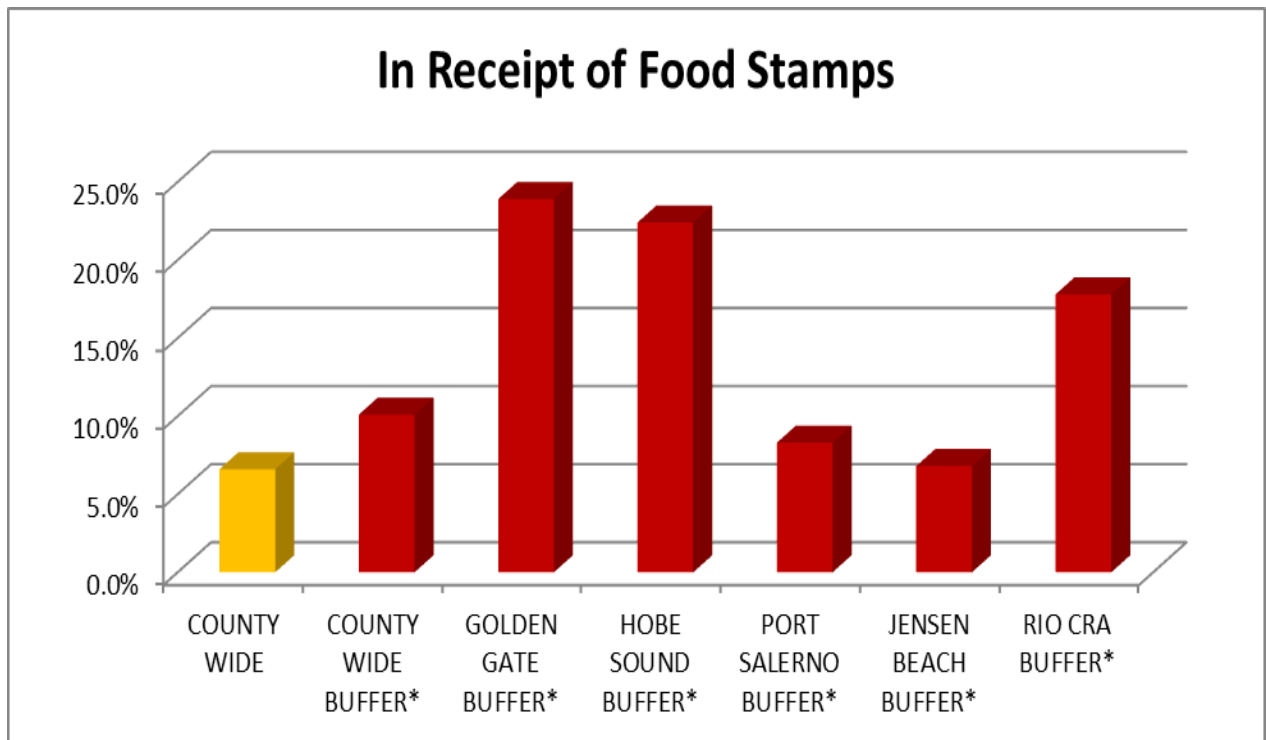
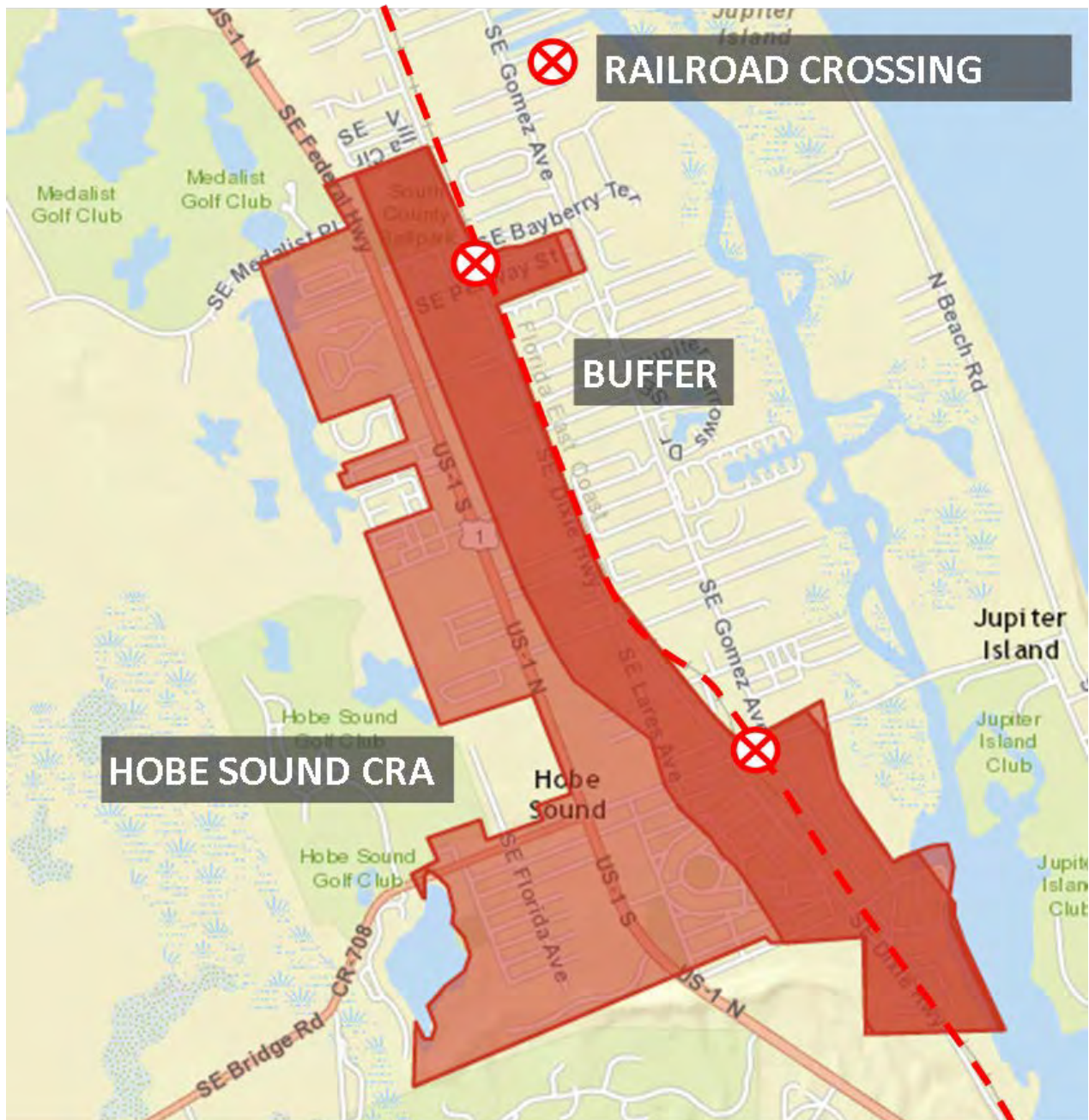


Chart D. Comparison of population % in receipt of Food Stamps



The map displays the Golden Gate CRA area, which is shaded in a light orange color. A darker orange buffer zone is shown along the western boundary of the CRA. A red dashed line with a red 'X' symbol indicates a railroad crossing. The map includes various streets such as SE Aviation Way, SE Inlet Harbor Trl, SE Micanopy Ter, SE Glasgow Dr, SE Quaker St, SE Fairway W, SE Court Dr, SE Kennedy Ave, SE Evergreen Ave, SE Ina St, SE Jefferson St, SE Garden St, SE Dalmat St, SE Clayton St, SE Bonita St, SE Amherst St, SE Indian St, SE Norland St, SE Eastgreen Ave, SE Durant Ave, SE Bohita St, SE Commercial St, SE Fischer St, SE Commerce Ave, SE Federal Hwy, and CR-A1A. The map also shows the location of the Golden Gate and Port Sewall. A red 'X' symbol is placed on the railroad crossing line. A red dashed line with a red 'X' symbol is also shown on the map.

FIG F.II. HOBE SOUND CRA, RAILROAD CROSSINGS AND BUFFER



[illegible]

FIG. IV. JENSEN BEACH CRA, RAILROAD CROSSINGS AND BUFFER

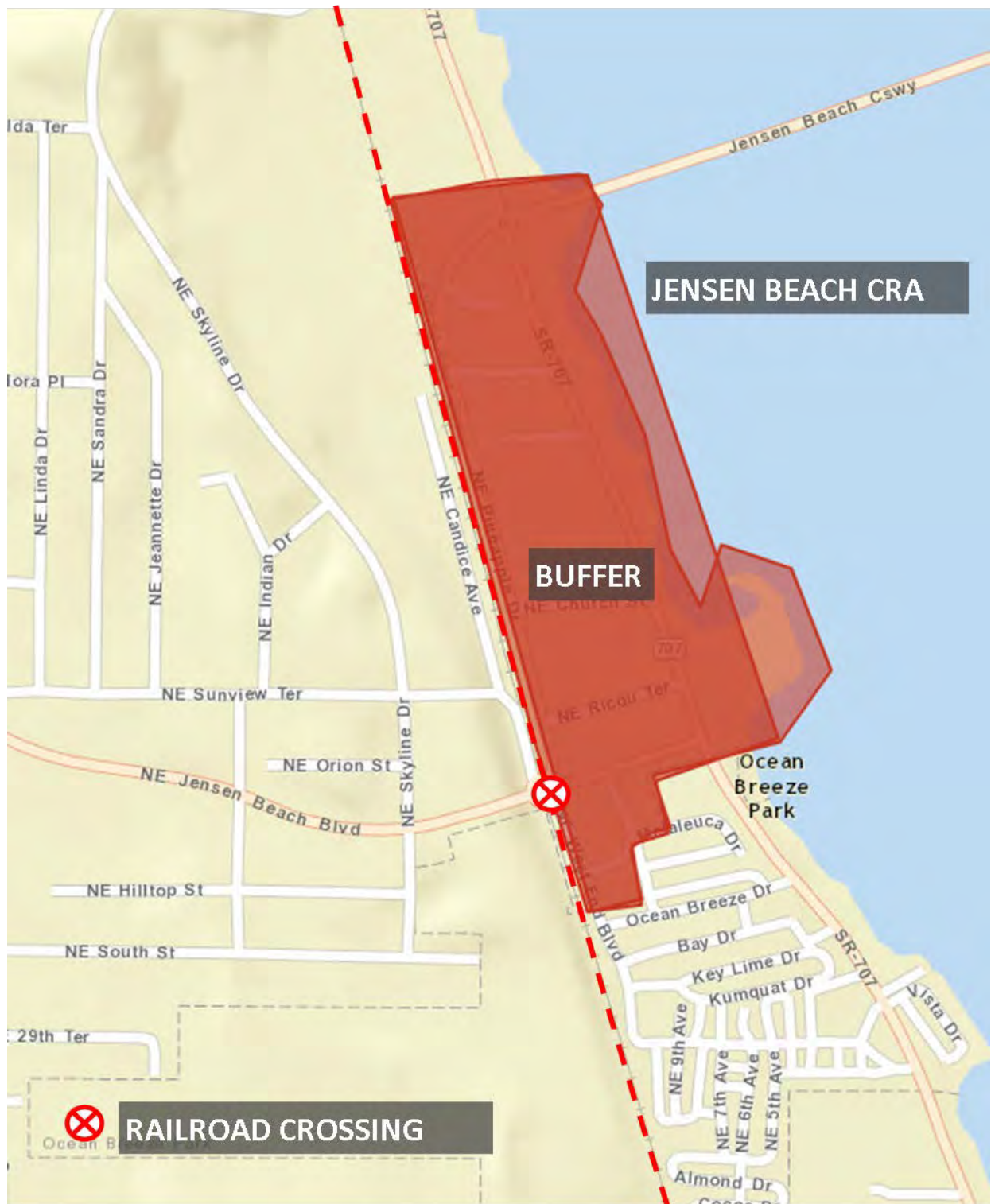
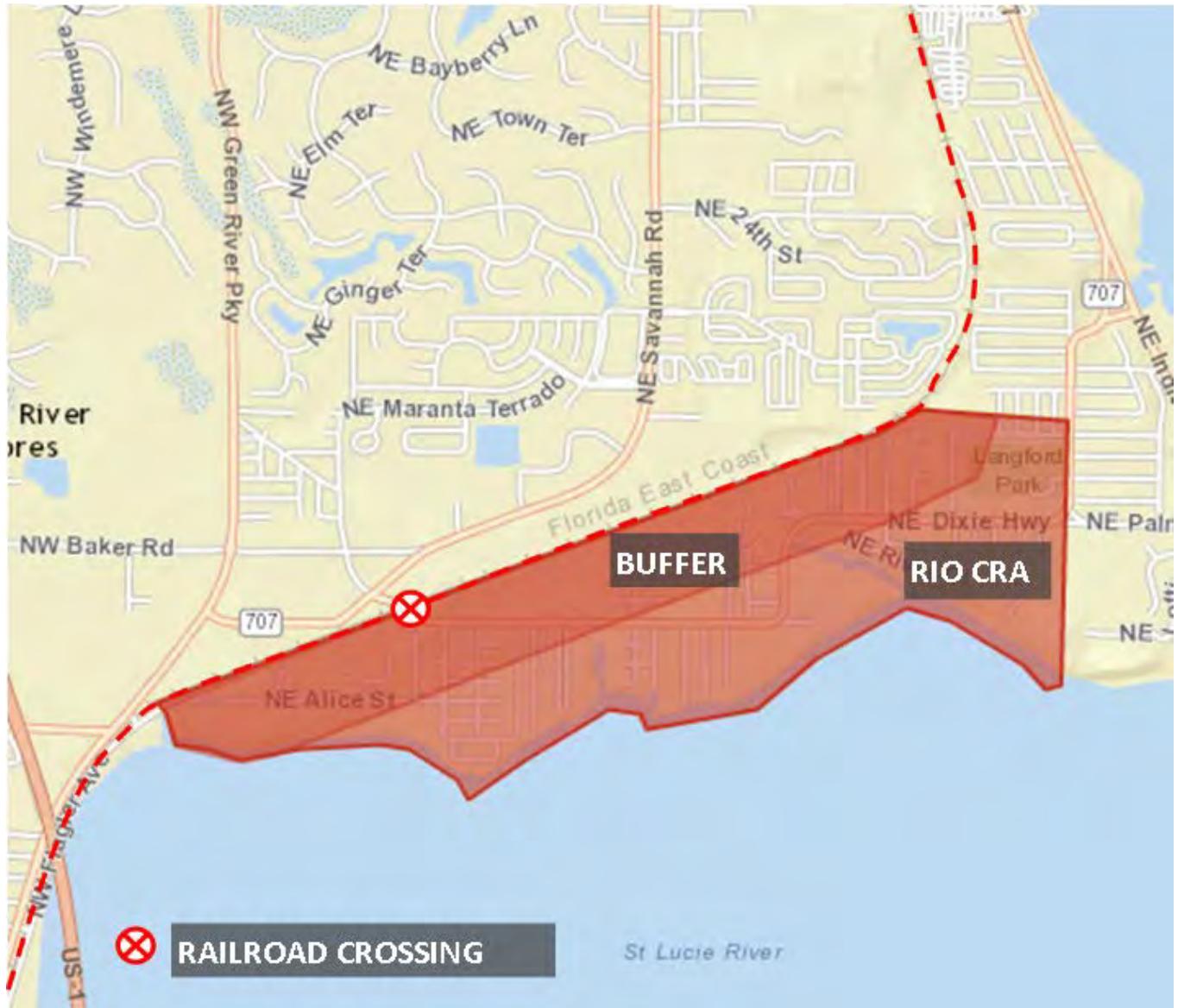


FIG. V. RIO CRA, RAILROAD CROSSINGS AND BUFFER



Objections and Comments to the All Aboard Florida Draft Environmental Impact Statement and Section 4(f) Evaluation

December 3, 2014

On behalf of a Coalition of:

Concerned Ft. Lauderdale Area Property Owners, Boaters, and Marine Industry Businesses



832 NE 26th Street, Wilton Manors, FL 33305 • Phone: (954) 730-7707 • <http://www.envirocareinc.com>

Prepared by Consulting Team:

Susan Engle, *EnviroCare Solutions International*

James Anaston-Karas, *MCRP, Strategic & Marine Planning, Facilitation & Advocacy*

Vincent N. Campisi, *P.E., M.ASCE, Consulting Engineer, LLC*

Stan Geberer, *Fishkind & Associates*

Robert M. Levy, *Robert M. Levy & Associates. Inc.*

Table of Contents

Executive Summary	1
Preface	3
Urbanism and transportation needs in South Florida	3
How to read this document	5
Authors and coalition represented	6
Section 1. The DEIS does not fulfill NEPA intent	7
1.1. Public involvement and transparency	7
1.2. Cumulative Impact	9
1.3. Alternatives Analysis	12
Section 2. Unreasonable Bridge Obstruction.....	16
2.1. DEIS obstruction examination is inadequate	17
2.2. Navigation conditions on the New River	20
2.3. Bridge closure and marine vessel traffic studies.....	24
2.3.1. Monthly traffic transitioning New River bridges	26
2.3.2. Transit time between the FEC and CSX bridges	28
2.4. Emphasis on peak demand, Level of Service analysis.....	29
2.5. Economic impact is not minor, therefore obstructive	30
2.6. Example of missed economic opportunity because of obstruction	32
2.7. Future and cumulative forecasts not considered for resulting obstruction	32
2.8. Future Freight Growth Beyond Year 2016 of 3% is Likely Understated.	37
Section 3. Economic impact analysis flaws.....	39
3.1. Value of County marine industry contradictory and understated; New River portion at 1/3 understated; “Minor anticipated impact” rejected	39
3.2. Omission of Property Value Impacts.....	41
3.3. Recommended methodology for future estimate of negative economic impact	44
3.4. Ridership and revenue summary study does not demonstrate profitable operation.....	45
Section 4. Contradiction of public plans, policies and investments	46
4.1. Tri-Rail Coastal Link Planning	46
4.2. Contradiction of Stated Local, Regional, and State Public Policy	48
4.2.1 Inconsistency with local comprehensive plans.....	50

Section 5. Conclusions	53
5.1. Suspend or Delay a Final EIS	53
5.2. Implement/modify deficient or non-existent bridge rules.....	53
5.3. Alternatives analysis must be expanded to advance the construction of a bridge to mitigate cumulative impact	56
5.3.1 Mid-Level Movable Bridge Alternate	56
5.3.2. High Level Fixed Bridge Alternate	58
5.3.3. High Level Fixed Bridge with a Movable Span Alternate	60
5.4. Divert/Rationalize Freight Rail Traffic, including an expanded, multi-modal US 27 Corridor.	63
5.5. Provide an “adjudication matrix” to the public	65
Sources Consulted	66
APPENDICES.....	69
Appendix A. DEIS Review and Comments by Vincent N. Campisi, PE, Consulting Engineer, LLC	69
Appendix B. Signors comprising the coalition responding to the DEIS.....	70
Appendix C. USCG June 2014 comment letter.....	72



Executive Summary

Improved multi-modal transportation in South Florida is an indisputable need; the ability of moving goods and people must be achieved to sustain a high quality of life and economic prosperity, *but not at the expense of marine industry and ocean-access real estate values in Broward County-particularly west of the FECR Bridge at the New River.* A senior team of multi-disciplinary and non-conflicted professionals was engaged to represent a coalition of marine and residential interests who will be most directly negatively affected by rail bridge operations impeding marine traffic on the New River. Such coalition is listed in Appendix B.

The Team is advocating for constructive solutions to the cumulative impact of foreseeable future rail planning and construction. This includes the All Aboard Florida project, but must include integrated planning decisions and mitigation for future freight traffic and other passenger rail, namely the Tri-Rail Coastal Link and Amtrak. This comprehensive response directed to the Federal Railroad Administration of the project's 2014 Draft Environmental Impact Statement, along with the 2012 Environmental Assessment, and 2014 Finding of No Significant Impact is styled as "Comments and Objections" under the Federal National Environmental Policy Act (NEPA) approval process which is required for project advancement (including a \$1.6B railroad loan).

Detailed objections and comments herein argue multiple important deficiencies that should be remedied before the project advances, summarized as:

- The public involvement, transparency, and understandability of the process for meaningful public input have not followed the true intent of NEPA.
- The DEIS fails to consider the cumulative impact of the foreseeable and interrelated future rail projects, namely the increase in future freight rail traffic, and the integration of the Tri-Rail Coastal Link, and Amtrak- all of which will add up to a significant increase in rail traffic on the CSX and FEC lines thus increasing bridge closure which will severely obstruct mariners ability to navigate New River.
- Alternatives to mitigate increased rail traffic and bridge closures have not been adequately analyzed in the DEIS; they should not be dismissed merely because All Aboard Florida or FECR are not willing to pay for necessary improvements.
- Unreasonable bridge obstruction by some measures exists today; it will only worsen under the future scenario of rail traffic growth. An average FEC bridge closure time of 12 to 19 minutes, when considered in concert with anticipated future freight train growth and 32 All Aboard Florida trains, could mean up to 17 hours of FEC bridge closure per day, which is clearly obstructive to navigation. When 50 or more Tri-Rail Coastal Link commuter trains per day are added the bridge operation will be clearly untenable.
- In response to the US Coast Guard's involvement in this rail planning, and its primary charge to maintain navigation, the Team has coordinated over 200 responses while emphasizing essential points intended to elicit Coast Guard actions for meaningful mitigation.
- As a "cooperating agency," the USCG's has tracked the DEIS. The USCG issued a letter on June 2, 2014 discounting most of AAF's attempts at modeling the effects of the rail plan on navigation. We agree the DEIS is flawed in this regard and the June letter is supported wholly in this response.
- To best describe the New River navigation conditions and vessel traffic and bridge closures considering BOTH the CSX and FEC rail bridges, this DEIS response summarizes the results of two detailed counts of vessels and bridge closures for approximately 2 weeks combined in May and June 2014; and average monthly bridge closures at the downtown automobile bridges; and transit time between the CSX and FEC bridges. The data base of vessel traffic is intended to assist the USCG with future bridge rule writing; various data and over 35,000 pictorial images have been collected so that vessel characteristic (length, height)

trends can be discerned and hoping to justify the construction of a new bridge based on the needs of vessel size and frequency.

- Results show some undercounts in the AAF reporting of vessel traffic up to 20 % lower on average, and more disparity with respect to peak traffic; however the DEIS is flawed by using only average traffic figures for most modeling instead of using peak demand and level of service principles such as those used for road planning.
- The DEIS's "minor" detrimental economic impact claim is dismissed by comparing a real-world example of the higher cost for a mega yacht holding position for an average bridge closure, thus discounting the unrealistic estimate of \$161/day in the DEIS. It also cites a testimonial from the Water Taxi explaining that the bridge's operation is obstructive under today's conditions to prevent service on the West side of the FEC bridge, and thus quash a business opportunity.
- Numerous instances are detailed where future rail forecasts, and or discounting the cumulative impact of other rail planned expansion are flaws in the DEIS.
- Total economic value of the marine industries is understated by 70%, and the anticipated decline in residential, commercial and industrial property values resulting from obstructive bridge operation is not included in the flawed DEIS.
- Approximately \$1 B in waterfront property value (nearly 1600 acres, with 3700+ units) , and \$2.9B in annual marine business are directly affected; secondary impacts are additional.
- A means to better quantify anticipated business loss and decline in property value is outlined for an improved DEIS, with encouragement to the USCG to undertake a "Truman-Hobbs" bridge study which is anticipated to justify a new mid or high-level bridge construction.
- Profitability of the AAF project is questioned; since it is not demonstrated with DEIS data.
- Since the project, as now planned, would be detrimental to mariners interests (both commercial and residential), the proposal is contradictory to adopted public policy and investments in several cited policy plans at the local, regional, and state levels.
- Five main requests are expected to best remedy a deficient DEIS and project:
 - Delay the Final EIS until numerous corrections and further analysis can be completed
 - Implement and/or modify the non-existent/deficient bridge operating rules for the FEC and CSX bridges to bring predictability to mariners.
 - Construct a mid-level (21 feet or more) moveable, or a high-level (55 feet or more) fixed or moveable bridge which will carry the expanded passenger trains (AAF, Amtrak, and Tri-Rail), and which is already being planned by Tri-Rail Coastal Link. Such cost may range between \$33-63M.
 - Divert freight traffic away from the urban core as much as possible and "rationalize" the use of all tracks; support construction of the US27 western corridor to carry increased freight between South to Central Florida and beyond.
 - Provide an "adjudication matrix" for all comments, thereby advising the public of the FRAs deliberations and dispositions/acceptance of the many valid comments being submitted.

Preface

Urbanism and transportation needs in South Florida

A broad view of South Florida's linear and sprawling urban development pattern, congested transportation system which lacks true multi-modalism, and apparent economic development opportunities, illuminates the need for enhanced mobility of people and goods.

Constrained by the Everglades and Water Conservation Areas on the West, and the Atlantic Ocean on the East, South Florida's urbanized area providing residential areas and an economic base are geographically linear and relatively low density. Considering the seven County planning area examined by the Seven50 project¹ (which is all the counties from Indian River south comprising the megalopolis), this sprawling area of 6.1 M people, which could grow to 7.9 M by 2040, leaves most critical transportation arteries over capacity causing regular congestion -- and which is forecast to worsen. "According to the State of Florida Department of Transportation (DOT), congestion on the I-95 corridor has and will continue to worsen over the next few decades as South Florida's population continues to grow and I-95 expansion is not a feasible option."² In this general regard, this DEIS review team is in basic agreement with the motivation of the All Aboard Florida project.

There is no doubt that serious long-term solutions must be pursued. Indeed most South Florida residents and businesses support improving the transportation system, which likely would include rail transportation; however ***not at the cost of vital business interests and countless property owners.***

Hence, the stated purpose of the AAF project is "... to address South Florida's current and future needs to enhance the transportation system, improve air quality, create jobs, provide a transportation alternative for millions of Floridians and tourists, and support economic development by:

- Returning the existing Florida East Coast (FEC) corridor to a dual-track system to allow for the restoration of fast, dependable and ***efficient passenger rail service*** [emphasis added] within Southeast Florida; and
- Implementing a privately owned, operated, and maintained intercity passenger rail service that will connect downtown West Palm Beach to downtown Miami with one stop in downtown Fort Lauderdale."³

¹ Available [online] at <http://seven50.org/resources/population-projections/>, April 13, 2014.

² Hanley, Caitlan, Brian Clancy and Thomas Guardino (Logistics Capital and Strategy), "The Case for Intermodal in South Florida," Available [online] <http://www.logcapstrat.com/pdfs/Case%20for%20Intermodal%20in%20South%20Florida.pdf>, March 29, 2014, pg. 3.

³ Environmental Assessment for the All Aboard Florida Passenger Rail Project- West Palm Beach to Miami, Florida, October 31, 2012, p. 16.

- Accommodating tourist and business travelers. “What All Aboard Florida’s marketing research has shown is that three-quarters of its passengers will be leisure travelers, both Floridians taking trips in-state and tourists entering through the state’s key gateways. About one-quarter will be business travelers, so the company is designing the trains to accommodate different passenger needs. Trains will have Wi-Fi and food service.” “Florida East Coast Industries executives assert that ticket prices will be competitive with air travel and the trip will take three hours.”⁴

In addition to moving people, Florida is poised to move more goods to stay competitive and fill a market void. Following years of freight and trade studies, spear-headed in large part by the Florida Chamber Foundation, Florida business and government leaders have advanced policies and significantly invested in multiple projects designed to capitalize on “trade and logistics, manufacturing and innovation, tourism and travel, and talent and investment.” For example, the Florida Strategic Plan for Economic Development, which is endorsed by the highest levels of State government, including the Governor, states a central goal which is to:

“Invest in an interconnected, multimodal trade transportation system that links Florida’s regions and enables Florida’s businesses to serve global markets. These include seaports, airports, spaceports, railways, major truck corridors, and integrated logistics and distribution centers. The state should evaluate alternative approaches to provide capacity for future growth, including use of technology, express highway lanes, expanded rail and transit options, and development of parallel or new corridors in some parts of the state.”⁵

The Panama Canal widening in 2015 provides a unique opportunity, but Florida’s global opportunities extend beyond serving as a port of call for Canal traffic. Florida can become a global hub across multiple activities – trade and logistics, manufacturing and innovation, tourism and travel, and talent and investment – if the state acts strategically. The immediate opportunities to expand trade flows can provide a springboard for growing export-oriented industry clusters; developing a workforce that is diverse and has linguistic and cultural competence; developing, supporting, and attracting globally competitive entrepreneurs and innovators; and becoming the preferred location for businesses targeting the large consumer market in the Southeastern U.S., Latin America, and the Caribbean. Once the end of the line in the U.S., Florida can become the center of the economy in the Western Hemisphere.⁶

⁴ Palm Beach Post report available [online] at <http://www.mypalmbeachpost.com/news/news/state-regional-govt-politics/state-chips-in-to-build-people-mover-at-orlando-ai/ndR9s/>, April 14, 2014.

⁵ Florida Strategic Plan for Economic Development, 2013, p. 35. Available [online] http://www.floridajobs.org/Business/FL5yrPlan/FL_5yrEcoPlan.pdf, March 28, 2014.

⁶ Florida Strategic Plan for Economic Development, 2013, p. 22. Available [online] http://www.floridajobs.org/Business/FL5yrPlan/FL_5yrEcoPlan.pdf, March 28, 2014.

While the State of Florida scrambles to enhance its Ports and relieve transportation congestion, both FEC and CSX rails are poised to increase passenger and freight traffic; therefore, increase profit. A much more integrated and intermodal transportation system, which will significantly increase rail traffic on the FEC and CSX lines, is inevitable. **Hence the AAF project cannot be considered in isolation.**

Our largest challenge is to achieve the urgently needed transportation system improvements (road and rail), but not at the expense of one of Florida's boating community and marine industries.

How to read this document

While this review focuses on the DEIS, some portions also question assumptions and findings in the Environmental Assessment (2012), and Finding of No Significant Impact (2014).

This report comments on those aspects of the DEIS that describe the proposed rail operations proposed by AAF and also the freight operations carried by FECR on the N-S corridor discussed in the DEIS.

This report comments on those aspects of the DEIS that describe the proposed rail operations proposed by AAF and also the freight operations carried by FECR on the N-S corridor discussed in the DEIS. The report discusses the impacts on navigation resulting from the proposed rail operations from all proposed sources including increased freight traffic from FECR and Commuter Rail traffic proposed by SEFCC (formerly Tri-Rail) over the FEC New River Bridge at MP 341.26. The report also discusses some interrelated concerns with the operations at the single track bascule bridge No. 0717-08 leased by CSX Corporation (referred to herein as CSX Bridge at I-95).

In certain areas excerpts are reprinted from the DEIS in **blue font**, then followed by comments and critiques by this consulting team. It is presented in this manner to assist the reviewers by providing all information in a single document instead of having to find sections and page references.

A significant portion of these DEIS comments are summarized from a detailed section by section DEIS review by the Team's Senior Engineer which is appended as "Appendix A," and is submitted as part of our official comments on the DEIS. The appendix also uses the blue and black font format.

This document does not question the Purpose and need for the proposed action. Therefore we have not commented on Section 2 of the DEIS.

Engineering comments herein are based on conceptual engineering investigation sufficient to prove the basis for the comment and do not include in-depth preliminary or final engineering analysis.

The level of engineering investigation performed for this DEIS review is conceptual in nature only without extensive engineering analysis, and is based on assumptions regarding structure types, number of tracks, and railroad construction required for the corridors included in the project.

Authors and coalition represented

A team of senior professionals was carefully selected to ensure the right expertise, while ensuring no conflicts of interest, to analyze the proposed project and preparing this comprehensive comment and objection document in response to the EA, FONSI, and DEIS. This analysis is methodical, comprehensive, and is based on senior expert opinion. It approaches the complexities of the project from several disciplines germane to the issues, namely:

- Planning (Community, Transportation, Seaport and Freight)
- Marine Operations (Navigation and vessel movement)
- Permitting (Environmental, community conditions and Impact)
- Law (NEPA procedure, Land Use, Property Rights, Permitting, etc.)
- Engineering (Rail, Bridge, Road, and other civil engineering considerations)
- Economics (Business & Real-estate value, disruption of business)
- Government & Policy (Local, Regional, State and Federal Policy and Political Leadership)

The team is commenting on behalf of a coalition of Concerned Ft. Lauderdale Area Property Owners, Boaters, and directly affected marine industry businesses, for which a representative list is presented in Appendix B.

Section 1. The DEIS does not fulfill NEPA intent

The National Environmental Policy Act advocates an open and public decision-making process in applicable projects; its intent is for a very thorough, understandable, and open process. For numerous reasons, the administration of NEPA for this project (including the DEIS) has been deficient as described below.

1.1. Public involvement and transparency

A skeptical Florida public has increased its scrutiny of the project, with distrust growing in many quarters. While the FRA's extension of the public comment period to 75 days was a plus, more of the skepticism may have been avoided had the public involvement opportunities been executed differently. Examples include:

The vital involvement of the US Coast Guard in this project review, while cited in the cooperating agency intent, has been limited. Through several public forums during Summer 2014, the USCG may have participated; however the agency was extremely limited in its comments with none evaluative. When the USCG finally announced a series of opportunities for public comment, it was little more than an opportunity to receive written comments, and these forums were promptly cancelled.

Finally, a series of three forums were conducted in South Florida in November. The forums were well-attended, however the forums were little more than rushed comments with very little interaction with agency officials. It is commendable the USCG actively solicited and received navigational survey information through December 1, 2014.

It is commendable that the FRA hosted public forums throughout the project area, however the format of meetings was not conducive to constructive interaction or genuine information exchange. Using a "convention-like" format is not the most productive manner to have constructive round-table type discussions or to understand agency positions. In addition, it was very peculiar at these meetings that project team staff were prohibited from exchanging business card information with the attending public. Further, it was commendable that one of the eight meetings was conducted in Ft. Lauderdale, however the timing seemed to portray a lack of understanding of the regional marine industry. Since the meeting occurred during the International Ft. Lauderdale Boat Show, attendance was most likely suppressed because members of the industry were highly engaged in one of their busiest times of year.

Further explanation of NEPA's public involvement intent is described in the project's Environmental Assessment (2012), p.42:

“... NEPA requires federal agencies to consider the impacts of their actions on the human environment and to disclose such impacts in a public document. The NEPA process is intended to ensure that public officials consider the environmental consequences of proposed actions (40 C.F.R. § 1500.1).”

While the DEIS indisputably presents some impacts in a public document, the analysis below will show inadequacies of such impact analysis, and questions how public officials (state, regional and local) are adequately considering consequences of this project’s actions.

Many public officials have expressed opposition to the project, and as shown in Section 4, the All Aboard project impacts are not consistent with adopted state, regional, and local plans which encourage freight rail traffic, and support sustainability and/or expansion of marine based recreation (residential) and marine business and industry (commercial and industrial sectors).

Transparency to the public should be improved upon through the ensuing EIS process administration. While the “FRA reviewed and commented on draft versions of the [2012 Environmental Assessment (EA)] document and approved ... [the version which was released] ... for public circulation and comment,”⁷ the public’s honest and thorough involvement from early stages (namely the scoping meetings) is called into question.

For example, among other citations in the EA about purpose and need, it cites the South Florida East Coast Corridor Study (FEC) Alternatives Analysis, which **contains no mention of marine or other business impact** while advancing among other goals, integrating “. . . the proposed transit options with existing and planned freight transport and potentially intercity passenger transport located within or traversing the [South Florida] study area.”⁸

As described on page 1-7, “As it has in the past, FRA has used a third party contracting process in preparing this DEIS. FRA does not have appropriated funds to support the development of EISs for RRIF loan applications. As a result, FRA requires the applicant to engage the services of a qualified consultant approved by FRA to assist FRA in preparing the EIS. Consistent with a memorandum of agreement among the parties, the third party contractor is paid for by AAF but reports to and takes direction from FRA. In developing the proposed action, AAF engaged the services of consultant firms to prepare engineering designs for the Project and to prepare technical reports documenting existing environmental conditions and analyses of environmental consequences. FRA’s third party contractor reviewed all materials provided by AAF; assisted FRA in determining that this information was complete, accurate, and relevant; and assisted FRA in the preparation of this DEIS.

⁷ All Aboard Florida Environmental Assessment (2012), page 1.

⁸ Supplied as Appendix D to the EA, that document was prepared by Ganett-Fleming for the Florida Department of Transportation, F.M. No. 417031-1-22-01, Contract: C8F66, June 2010, p. 26. That document (among others comprising the appendices) was not released electronically by the FRA to the public with the EA. It was finally made available electronically in March 2014, or 17 months later than preferred for convenient public scrutiny.

Comment: It **appears that AAF did not disclose all issues to the third party contractor** which should be a part of the discussion and be included in the impacts and issues discussed in the DEIS document. It may also be possible that the third party contractor ignored the issues, if in fact they were provided, which in either case is a mistake in not including them in the DEIS.

Full consideration of cumulative impacts, which are further explained below, appears to have been omitted from the beginning of the scoping process. Not only does this render the process deficient, it is improper not to disclose this consideration to the third party contractors which have been used by the FRA to produce the DEIS.

Regarding page S-3 “About the NEPA Process,” during the scoping period significant issues to be identified **should have included all of the rail operations that are being proposed which will utilize the FEC corridor**. These rail operations should have included the plan to have Tri-Rail Coastal Link commuter operations joint use of the FEC corridor through Fort Lauderdale which would impact navigation on the New River. FEC is in negotiations with Tri-Rail Coastal Link and has provided scheduling information and rail operations models to Tri-Rail Coastal Link as discussed and cited in the Tri-Rail Coastal Link Preliminary Project Development Report, Appendix 3: Rail Operations Analysis Report and Materials, Dated April 2014, Prepared by RS&H, CH2M HILL, AECOM, Ernst & Young, Kommunikatz, Inc., as directed by FDOT – District 4. It is improper to omit any discussion of the proposed Tri-Rail Coastal Link Study in the AAF DEIS when the project plans have been developed to the point that a Preliminary Project Development Report has been presented to the public and is actively being brought into reality with service being proposed along the existing FEC Corridor in the near future (2016) following the NEPA requirements for a EIS and securing project approval.

A final example of the lack of transparency is that during the EA process, the appendices to the document were not made electronically available to the public on the FRA website until March 2014 (which as after the FONSI had already been issued). Although the full document was evidently available through traditional means (i.e. public libraries), in today’s day and age the early availability via the FRA’s website would have been a basic improvement to enhance transparency.

1.2. Cumulative Impact

The DEIS is incomplete, flawed and erroneous by not adequately considering the cumulative impact of significant other transportation and rail planning, namely the integration of freight planning (including the CSX rail corridors,⁹ and Florida seaport planning), and passenger rail planning (namely Amtrak and the Tri-Rail Coastal Link).

⁹ It should be recognized and integrated into the DEIS planning process for All Aboard Florida that CSX is approximately four times the size of FEC in Florida. While CSX rail lines are not directly connected to the east coast

As described on page S-20 of the DEIS,

Under NEPA regulations (40 CFR part 1508.7), a cumulative effect is defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. **Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.**” [emphasis added]

Further, in the project Environmental Assessment (October 2012), page 238:

Potential Cumulative Impacts ... The cumulative effects analysis considers the aggregate impacts of direct and indirect impacts (from federal, non-federal, public or private actions) on the quality or quantity of a resource. For purposes of this discussion past, present and reasonably foreseeable future are [sic] defined as follows:

- Past: Over the last 20 year 1992-2011; started construction and opened
- Present: the current calendar year (2012); either currently under construction or completed
- **Reasonably foreseeable future: the next 20 year (2013-2032); planning, design and/or construction funded and/or programmed.** [emphasis added]

Hence, according to the FRA’s own definition and discussion of how to measure cumulative impacts, known rail planning and design through year 2032 should be considered. However this DEIS is seriously flawed in that it fails to adequately consider all rail planning in this future time period, especially:

a. Adopted freight rail planning by the State of Florida (See The Florida Freight Mobility and Trade Plan, especially the Investment Element, July 2014, available at: http://www.freightmovesflorida.com/docs/default-source/fmtpdocs/draft-fmtp-investment-element_2014-08-18.pdf) and

b. Adopted passenger rail planning by local, regional, and State of Florida agencies (see Tri-Rail Coastal Link, and its long-time predecessor project name - South Florida East Coast Corridor Transit Analysis, and which has been adopted in “SFRTA Forward Plan: A Transit Development Plan for SFRTA, August 2013, Final Report” and encompassed in the MPO 2040 Plans for Miami-Dade, Broward, and Palm Beach Counties). The South Florida Regional Transportation Authority (SFRTA) in partnership with the Florida

seaports dockside like FEC, CSX is integral to cargo movement throughout the State and to seaports outside of South Florida. For example, CSX recently opened the Central Florida Intermodal Logistics Center in Winter Haven, FL. The 318-acre facility... “will be operated by CSX Intermodal Terminals Inc. and served by CSX Transportation. ... [It will] ... serve as a centralized hub for transportation, logistics and distribution needs in Orlando, Tampa and South Florida.”

Department of Transportation and others has formed the Tri-Rail Coastal Link Partnership and Executive Steering Committee¹⁰ to realize ambitious rail and transit improvements throughout South Florida in concert with the Federal Transit Administration. The group's work includes funding analysis coordinated through a Finance Sub-Committee, presented to the SFRTA Board by FDOT as recent as August 2014.¹¹

Additionally, the omission of cumulative impact consideration includes the Navigation Discipline Report (which is a part of the DEIS as Appendix 4.1.3-C). It fails to model cumulative impacts of reasonably foreseeable future actions, since future bridge closure times were modeled only to year 2016, instead of considering reasonably foreseeable cumulative impacts meaning modeling through year 2032.

For elaboration, see DEIS Appendix 4.1.3-C and p. 5-17, DEIS (2014):

FECR operated 24 daily trains in 2006 and had projected growth of 5 to 7 percent between today and 2016. However due to delays in the expansion of the Panama Canal and other factors, it is now expected that freight operations will increase from the current number of trains to 20 trains per day by 2016, and at a 3% annual growth after 2016.

Had the modeling projected closings to year 2032 an estimated 64 bridge closings would be expected with an average close time of 35 minutes per hour, at least double the average number of minutes closed per day.

(DEIS Page 4-4)

Comment: The shared use of the FEC corridor for both FEC freight operations, AAF proposed passenger operations and Tri-Rail Coastal Link commuter rail service must be fully analyzed in the AAF DEIS in order to fully understand and evaluate the impact of these multiple rail operations on the existing corridor. The DEIS should be clear on what rail infrastructure is contemplated by each railroad. The impact of combined service on the existing single track and double track corridor must be fully explored and evaluated. The DEIS should be clear on how many tracks are being provided throughout the length of the existing corridor; it should also discuss the potential for use of the CSX tracks in Figure 4.1.2-3 since the CSX corridor will be integrated with future rail traffic of all types.¹²

¹⁰ See Memorandum of the Tri-Rail Coastal Link Partnership here: [http://tri-railcoastallink.com/downloads/MOU Tri-Rail Coastal Lin 001.pdf](http://tri-railcoastallink.com/downloads/MOU%20Tri-Rail%20Coastal%20Link%20001.pdf).

¹¹ See Meeting minutes of SFRTA Governing Board, August 22, 2014, beginning on page 205 of 441. See also Tri-Rail Coastal Link f/k/a South Florida East Coast Corridor Study "Case Study ASCE Tri-County Workshop" May 10, 2013 Presented by; Jaime C. Lopez, P.E. Available [online] <http://www.slideshare.net/asce-miami-dade/22-tri-rail-coastal-link> Nov. 8, 2014.

¹² The two other bridges carrying CSX, Tri-Rail and AMTRAK passenger service are located on the New River at a point approximately 2.6 (Statute) miles west and upriver from the FECR Bridge No. 341.26. The two bridges consist of a single track bascule bridge No. 0717-08, leased by CSX Corporation from The State of Florida which owns the rail corridor, carries CSX freight service consisting of 9 trains per day and also carries four AMTRAK passenger trains

Numerous other citations of such cumulative impact omission are provided below and in Appendix A.

1.3. Alternatives Analysis

NEPA clearly explains the need to thoroughly analyze alternatives for mitigation in the EIS process, however the DEIS is deficient in this manner.

From the DEIS, page S-4, “... the purpose of the DEIS is to disclose all environmental effects associated with the project alternatives, whether they are adverse or beneficial...”. Indisputably the purpose of the Draft EIS is to **disclose all environmental effects associated with the project alternatives**. Omission of any discussion of impacts resulting from the combined corridor use of the existing FEC operations, Tri-Rail Coastal Link and increased freight operations attributable in large part to Post-Panamax Container Ships using Port Everglades and Port Miami is a **blatant omission of anticipated major impacts which will affect navigation** on all of the movable bridges on the FEC corridor and the most heavily impacted movable Bridge will be the FEC bridge at MP 341.26 over the New River.

Two environmental impacts which are not fully analyzed or discussed in the DEIS are:

1. Compatibility with the Broward County Manatee Protection Plan- Manatee protection is only discussed in terms of minimizing impact on the animals during construction. Another important consideration is the bottleneck of boat traffic caused by increasing and obstructive bridge closures that occur at a narrow part of the river, thus heightening the probability of boat collision with these protected species. The MPP is further discussed in Section 5.
2. Sea Level Rise- Through credible and peer-reviewed modeling work, area planners and scientists working in collaboration on the SE Florida region predict that sea levels along the SE coast will rise 9 to 24 inches (1-2 feet) in the next 50 years (from 2010 to 2060). One obvious impact is that the already minimal clearance of the FEC and CSX bridges (when closed) will be

per day. The high level fixed bridge is a double track bridge and carries 40 to 50 Tri-Rail trains per day. AMTRAK trains have also been known to use the high level crossing (which is 55 feet at MHW).

The single track bascule bridge and the rail corridor are owned by the State of Florida; CSX operates their freight service on this line by lease agreement with the State of Florida.

The bascule bridge foundations were weakened when the foundations for the two track high level fixed bridge were constructed. Subsequently The State of Florida installed temporary supports under the bascule bridge span which narrowed the waterway opening. The USCG required the channel to be restored to its original width resulting in a FDOT project presently under construction to replace the existing bascule bridge with a new bascule bridge on an alignment 35 feet west of the existing bridge. The 22 million dollar project is expected to be completed in 2016. The construction of the new bridge is staged such that the navigation channel is not blocked during construction of the new bridge. It seems the intent is to float in the new bascule span, which would be fabricated and constructed off site, during a one day period and to set the new span on the completed foundations.

further diminished. In extreme storm conditions, could the railroad tracks experience wash or possible immersion?

Recognizing that some recommendations have been included in the draft DEIS in similar form, viable options/alternatives that must be more thoroughly discussed and analyzed in the DEIS (such analysis is now deficient) include the following possible means of mitigating negative impacts:

- Revisit earlier proposals to elevate over the New River at the FECR crossing. From a recent field observation,¹³ the other bascule bridges spanning the New River offer overhead clearance of between 17 and 21 feet above the mean water level.¹⁴
- Revisit earlier proposals to tunnel under the New River at the FECR crossing.
- Shift some of the proposed rail operations to an adjacent rail corridor i.e., CSX or Tri-Rail Coastal Link.
- Combine train movements to occur simultaneously in two directions; thereby reducing the number of closures required.
- Shift train movements to off peak periods i.e. after midnight affording more daylight time for navigation to transit the waterway.
- Optimize train lengths to reduce the number of train movements.
- Provide a full time bridge operator at the bridge to reduce the initial 5 minute countdown period required by the current remote operation of the bridge.
- Improve the waterway using contributions from AAF/FECR/FECI which would aid navigation permitting easier faster passage along the waterway.
- Investigate the possibility of constructing a new movable bridge at an elevation less than the required 55 feet for a fixed bridge that would permit both freight and passenger operations on a suitable approach grade; thereby reducing the number of openings required to pass smaller vessels.
- Investigate providing a parallel high level fixed bridge adjacent to the existing FECR Bridge to accommodate all AAF passenger operations while keeping freight operations on the existing bridge.
- Investigate improvements in the machinery and power requirements for the existing bridge to reduce the time required to open and close the bridge.
- Investigate replacing the movable bridge with a different type of movable bridge that would require less time to open and close.
- Investigate any combination of the above suggested measures which would be of benefit.

¹³ March 2014, by the project team.

¹⁴ This does not consider sea level rise predictions of 9 to 24 inch water level increase by the year 2060 as discussed elsewhere in this report.

Sections of the DEIS which are deficient in cumulative and alternatives analysis include:

(Page S-5) “Alternatives Considered in this EIS,” and page S-7 “Table S-1 DEIS Alternatives,” and page 3-12, DEIS) At-Grade Crossings and Railroad Bridges

Comment: All future planned uses of the FEC corridor should be included in the DEIS and the method for dealing with the increased traffic should be included in the project improvements regardless of whether or not the planned use of the corridor by Tri-Rail Coastal Link or increased freight traffic occurs by AAF’s target date of 2016. Shared use of facilities such as stations and trackage requires that these issues be included in the DEIS and the planning of improvements required for all of the proposed use.

The alternatives analysis is **deficient by not considering the addition of a two track mid-level movable bridge adjacent to the existing FEC bridge 341.26 over the New River** to carry Tri- Rail commuter passenger rail. The proposal by Tri-Rail Coastal Link calls for shared stations at Ft. Lauderdale and other locations in the WPB to Miami corridor. If there are to be shared stations FEC and AAF must take them in to consideration in this DEIS. According to the DEIS, AAF plans to be at grade with their proposed passenger operations at the proposed Ft. Lauderdale Station and on the existing New River Bridge. With the Tri-Rail Coastal Link Passenger operations operating over a mid-level movable bridge over the New River, this is a direct conflict. The DEIS should include an alternative to have all passenger operations carried on the proposed mid-level bridge in order to make it possible to have a joint shared station as proposed by Tri-Rail Coastal Link and to separate freight and passenger operations which would minimize the number of bridge openings required if the 32 passenger trains per day proposed by AAF were also carried on the higher Mid-Level bridge.

(DEIS, Page 3-10) **Screening Analysis Results – Level 1 Route Alternatives** and Page 3-15 “**Table 3.2-2 Screening Analysis Results – Level 2 FECR Route Segment Alternatives**”

Comment: The Mid-Level Movable bridge to be constructed over the New River on the FEC ROW as proposed by the Tri-Rail Coastal Link should be included in the discussion on railroad bridges in the screening analysis of the alternatives.

(DEIS Page 3-26) “No-Action Alternative”

Comment: The existing and future freight train operations in the no-action alternative are incorrect; they do not include the increase in freight traffic planned for by FEC due to the Post-Panamax expansion and the dredging and rail infrastructure improvements at Port Miami and Port Everglades to accommodate the larger Post-Panamax expansion container ships.

(p. 3-15, DEIS) Fort Lauderdale Station

Comment: AAF plans for the Fort Lauderdale Station are for an at-Grade Station. Tri-Rail Coastal Link in their Environmental Assessment discusses a mid-level movable bridge which would be at a minimum clearance of 21 feet over MHW. This would require that the Ft. Lauderdale Station needs to be an elevated station. Since a shared station is proposed by Tri-Rail Coastal Link with AAF this needs to be

included and considered in the AAF DEIS so the final design and construction does waste taxpayer investment in this joint public-private project.

(DEIS, Page 3-39) 3.3.3.4 West Palm Beach – Miami Corridor and Table 3.3.6

Comment: The DEIS does not discuss the movable bridge alternative over the New River being planned by the Tri-Rail Coastal Link and included in their Environmental Assessment. AAF in their DEIS proposes a rehabilitation of the New River Bridge. FEC has been in discussion with Tri-Rail Coastal Link and has provided data to Tri-Rail Coastal Link. Since the mid-level bridge is included in the Tri-Rail Coastal Link plan, FEC needs to discuss how this will affect their planned operations for freight as well as AAF planned passenger operations. AAF should include in their alternates the shared use of this proposed bridge and consider its construction in the initial stage of the AAF project rather than after Tri-Rail Coastal Link commences their project. Such coordination should be motivated by the most efficient and prudent expenditure of the public's investment through proper forethought, planning and coordinated design.

Section 2. Unreasonable Bridge Obstruction

The operation of the movable bridges falls under the jurisdiction of the USCG and is regulated by Rules and Regulations published in The Code of Federal Regulations under Title 33, "Navigation and Navigable Waters". The FECR bridge most in question is presently unmanned and opening and closing operation is fully automatic utilizing electronic sensors and cameras located at the bridge site. The opening and closing operations are controlled utilizing the information transmitted from the sensors and cameras at the bridge site to the FECR central control board located at New Smyrna Beach.

The existing rail operations on the FECR Bridge 341.26 reportedly consist of 11-14 freight trains per day. The bridge is normally left in the open position to allow navigation unrestricted access. The bridge is operated remotely and the operation to close the bridge to navigation and permit rail traffic to cross commences when the control center is alerted to an approaching train which requires the bridge to be closed. When trains approach, a horn blows and a timing board with electronic numerals visible to boaters is activated with a 5-minute countdown by seconds to span closure. Additionally, electric eyes scan the channel to assure clearance before closing. Machinery will not operate automatically until all systems are cleared. Trains are warned when bascule operations are interrupted and begin slowing for a stop until fully cleared to transit the bascule bridge. Eye witness accounts of the closing procedure have reported that the initial 5-minute countdown has been in some cases 6 minutes in duration.



As shown by photos, the bottleneck of vessels waiting or passing just after bridge opening create current day conditions which are unreasonably obstructive to vessels navigating the bridge. Despite these conditions, presently there is no rule in the CFR regarding the FEC New River Bridge. The USCG has asked FEC to request a rule for Bridge 341.26 however FEC has not complied. A specific rule regarding the amount of time the bridge is to be open per hour is a necessity for the FEC bridge when considering the planned operations by FEC, AAF and Tri-Rail Coastal Link.



2.1. DEIS obstruction examination is inadequate

The DEIS dismisses the principle that marine navigation supremacy by law has Right of Way with no other options than navigation channels, whereas rail and road traffic can be diverted. Page 20 of the 2012 Environmental Assessment claims there will be “no impact” to navigation. We expressly reject that claim. Now comes the DEIS, which has increased the estimates of freight traffic (trains per day) from 10 or 11 per day with no increase (in the 2012 EA), to 20 trains per day by 2016 plus 3% increase per year thereafter, which means almost 2 more trains per day every three years.

(DEIS, Page 4 – 16) 4.1.3 Navigation

Comment: The USCG reviewed the Navigation Discipline Report (NDR) for the AAF Passenger Rail Project prepared by AMEC for AAF. The USCG commented on the report in a letter dated June 2, 2014 to Charlene Stroehlen, P.E. Senior Associate Engineer AMEC – Environment & Infrastructure authored by Barry L. Dragon, Director, District Bridge Program, Seventh Coast Guard District (which is also provided as Appendix C to this objections and comments document).

This USCG letter is significant in that it dismisses much of the Navigation Discipline report by stating:

*In Sections 2.6.2 and 6.0, the NDR addresses evaluation criteria and a criteria matrix for assessing the No-Build alternative and the Proposed Action's impact on identified navigation needs. While information on the impacts on navigation received from the applicant will be analyzed, **the Coast Guard will make the ultimate determination as to whether or not the impacts on navigation are unreasonable. [emphasis added]***

*The Coast Guard, in making a permit decision, **must preserve the public right of navigation [emphasis added]** while maintaining a reasonable balance between competing land and waterborne transportation needs. We do so by taking a balanced approach to total transportation systems, both land and water modes, in all bridge actions. At this time, we are unable to fully assess the potential impacts and will require more information on the following issues prior to making a permit decision:*

- 1. The impacts on navigation from the natural flow of these waterways, including currents and water velocity fluctuations, while vessels await openings at these drawbridges remain unknown;*
- 2. The affected drawbridges set the most restrictive vertical clearance on these waterways, and a large percentage of vessels cannot transit the bridges in the closed position;*
- 3. **Any increase in the existing closure periods at the drawbridges spanning these waterways may not provide for the reasonable needs of navigation; [emphasis added]***
- 4. The methodology used in the NDR may be sufficient to assess the waterways' trends and uses for purposes of making a navigation impact determination. **However, the Coast Guard is unfamiliar with the model and needs to evaluate the assumptions and data therein. [emphasis added]***

*Accordingly, **additional study will be required to determine the reasonable needs of navigation on these three waterways in the vicinity of the drawbridges.** To advance the NEP A process, we support including the NDR as an attachment to the DEIS as it informs the choice of alternatives for analysis. The DEIS should note that the Coast Guard still must make a determination as to the prospective impacts on navigation in the vicinity of the three drawbridges spanning the New River in Broward County, Loxahatchee River in Palm Beach County, and the St. Lucie River in Martin County and that the DEIS will be used to inform that Coast Guard determination.*

*If the Coast Guard determines the proposed AAF operating schedule unreasonably impacts navigation on the New River, Loxahatchee River and St. Lucie rivers, **it may be necessary for the Coast Guard to amend existing bridge regulations and require modifications to those bridge operations so that navigation is not unreasonably burdened.** [emphasis added]*

Comment: The analysis herein agrees with the USCG comments and recommendations contained in the above letter. We also believe the Vessel Traffic Study and the impact on navigation is flawed in part as a result of the inaccuracy introduced in the model by not including the planned Tri-Rail Coastal Link Commuter Operations and all of the increase in Florida freight rail operations. The number of trains per day and the length and speed of the freight trains not accounted for result in far more numerous openings and closure times at the FEC New River Bridge. The impact on navigation at the New River, Loxahatchee and St. Lucie river movable bridges is far greater than shown in the NDR prepared by AMEC which forms the basis for the impacts on navigation contained in the DEIS.

The DEIS attributes a large portion of train traffic reduction to the “combined effect,” which seems to say in essence that freight train speed will increase, and will double up on bridge crossings (Navigation Discipline Report for the AAF Passenger Rail Project, AMEC, July 2014, pg. 1.3) The DEIS should provide proof of this phenomenon achieved in other locales, as we are skeptical this can be achieved. Given the number of extended bridge closures today, what assurance will be guaranteed this can be achieved. Our team’s assessment of this concept is that is very complex and depends on numerous factors; the more factors involved, the more unlikely it is to achieve.

2.2. Summary of Probable Freight plus Passenger Time Delay

Train lengths reported in presentations made by FECR are 7800 feet long and travel at speeds varying from 38 to 52 MPH. Several videos of FECR trains transiting one of the three movable bridges indicate the train consisted of two engines pulling 161 cars of intermodal freight. 161 intermodal cars having a length of 64 +/- feet per car would have an overall length of 10300 feet. Other videos found during research for this report also indicate FECR intermodal trains containing more than 200 cars which would have a length of 12,800 feet.

Assuming a speed at the lower range of 38 MPH approx. 50 feet per second, is more likely to occur in the Ft. Lauderdale area with numerous grade crossings and the New River Bridge. Using the 7800 foot train length quoted by FECR the time required for the train to travel across the bridge is 7800 feet / 50 FPS= 156 seconds which equals 2.6 minutes. Likewise the 12800 foot train passage is 12800 feet / 50FPS= 256 seconds which equals 4.3 minutes. Slower speeds would increase the time required for a train to pass the bridge.

The most optimistic total time to close the bridge to navigation, allow the train to pass over the bridge and open the bridge to navigation can be estimated to be 5 minutes for the initial countdown, 1.5 minutes to lower the bridge, 4 minutes for the train to pass over the bridge and 1.5 minutes to open the bridge for navigation to pass which totals **12 minutes per freight train passage**. Thus the **total delay time for 11 freight trains per day** would be 132 minutes or 2.2 hours which can be rounded to **2.5 hours** (considering the variables) where navigation is halted.

Future Rail Operations

Future rail operations will consist of the exiting freight rail and the proposed passenger rail operations proposed by AAF and Commuter Rail Operations proposed by Tri-Rail Coastal Link; also the probability of increased freight traffic due in part to the improvements at Port Everglades and Port Miami described by FECR in their presentation to the 16th annual Transportation and Infrastructure Summit need to be considered. The increased tonnage expected at these ports is order of magnitude **three times greater than presently handled at these ports according to the FECR presentation**. There is therefore a possibility for rail freight operations to triple to meet this additional demand required to move the container (intermodal) traffic northward from Port Miami and Port Everglades to Jacksonville and connections to other freight carriers. Accordingly, this author anticipates that train movements to be accounted for in the future would consist of 33 (11X3) freight trains per day, plus the 32 planned passenger trains proposed by AAF and up to 60 trains per day proposed by Tri-Rail Coastal Link service.

Summary of Possible Freight plus Passenger Time Delay

The total time required for freight operations would be 2.5 hours (present closure time) multiplied by 3 equals 7.5 hours.

The total time for passenger operations would be **8.5 minutes per train** passage based on an 800 foot long passenger train operating at a speed of 20 MPH average due to the close proximity of the proposed train station to the bridge and the same 5 minute countdown and 1.5 minutes to close and open the bridge. The total time for passenger operations can be estimated at **8.5 minutes** multiplied by 32 trains equals 272 minutes or 4.5 hours. **Future rail delays for the combined freight and passenger operations would therefore be estimated in the range of 12 hours per day** during which navigation would be halted. The Tri Rail Coastal link service is proposed to cross the New River in Fort Lauderdale on a mid-level movable bridge having a minimum vertical clearance of 21 feet above mean high water. Not all vessels will be able to navigate under the proposed Tri Rail bridge without an opening. The number of openings required by navigation to cross under the Tri-Rail Coastal Link Bridge will need to be factored in to the total number of openings. The combined effect of all of these rail operations must be included in the AAF DEIS to properly evaluate the impact on Navigation. In this regard the Draft DEIS is seriously flawed.

This time delay is considered extremely conservative, given eye witness accounts of closures ranging between 17 to 20 minutes (under current conditions). Absent closure records from FEC/AAF, EnviroCare Solutions International conducted video and web cam monitoring to accurately document closure times.

Assuming freight traffic 3 times higher than AAF's published forecast, The Table below presents a sensitivity analysis considering what likely scenarios result from real world conditions (i.e. train delays, switching delays, etc.). Considering average passenger closure times ranging from 8.5 to 12.5 minutes,

and average freight closure times from 12 to 19 minutes, *the duration of closure per day could be as high as 17 hours.*

Bridge closure time scenarios

Train Type	AAF train forecast			Best case scenario A			Likely scenario B			Likely scenario C		
	Trains day	Min./ closure	Closure time (hrs.)	Trains day	Min./ closure	Closure time (hrs.)	Trains day	Min./ closure	Closure time (hrs.)	Trains day	Min./ closure	Closure time (hrs.)
Passenger	32	8.5	4.5	32	8.5	4.5	32	10.5	5.6	32	12.5	6.7
Freight	11	12	2.2	33	12	7.5	33	17	9.4	33	19	10.5
Total Hours Closed			7			12			15			17

1. The number of trains in this table only considers FEC and AAF rail traffic. Tri-Rail Coastal Link Trains will operate over a separate mid-level movable bridge which requires a separate evaluation of estimated closure times for the number of trains/day proposed by Tri-Rail Coastal Link (60 trains per day in the Tri-Rail Coastal Link EA) and an estimate of vessels taller than 21 feet requiring an opening to pass through this part of the channel.
2. This report also recommends that AAF Passenger Rail service should run on the proposed Mid-Level Bridge along with Tri-Rail Coastal Link commuter service.

Even if the increase in freight traffic is not realized fully, the paramount question remains – what will be the impact of the Coastal Link project, which goal is to bring passenger rail to the FEC line? For comparison, the Tri-Rail Coastal Link passenger rail now runs at 40-50 trains daily.

2.2. Navigation conditions on the New River

There are various conditions that make the New River perilous to navigate on good day. Among the factors to consider are tide, winds and wind tunnel effect, density and size of other traffic, stormwater discharges, and the closure schedule (enforced by rule) of nearby bridges.

A factor not discussed in the DEIS which further complicates navigability and analysis of average daily bridge closures is that the neighboring Andrews Avenue bridge by rule remains closed for three hours per day during daily rush hours, namely 0730-0900 hours and 1630-1800 hours.¹⁵ The bridge also need not open when the FEC rail bridge is down.

Finally, the computer model and accompanying vessel traffic simulation (as it was demonstrated at FRA's public forums in South Florida) is was unrealistic. Licensed sea captains and casual boat operators alike with local knowledge of New River are aware the River's real-world difficult if not treacherous conditions, not the least of which is wind tunnel effect and tidal current causing set and drift in close

¹⁵ With certain exceptions, such as tugs with tow and public vessels of the U.S.

quarters. Accordingly, a computer model which demonstrates vessel maneuverability similar to automobiles is unrealistic and not representative of the real river navigation conditions. The DEIS should be corrected to more closely reflect real-world conditions.

Whereas the New River which is 100 feet wide or more along its navigable length, the FEC bridge horizontal clearance is reported at 60 feet and thus presents the most narrow passage. All but the smallest vessels must confine themselves to one way, one at a time traffic when transiting through the bridge.

A huge variety of vessels transit the new river, ranging from super yachts to non-motorized kayaks or paddle boards; law enforcement and heavy industrial/dredge work boats alike ply the waters. The diversity of vessels presents its own set of navigational challenges.



The river at the FECR bridge is subject to tidal currents, a river current that varies depending upon the amount of recent rainfall, and cross currents from storm water outflows on the north bank immediately downstream from the bridge. Current has been measured in exceedance of 4 knots, according to NOAA



One of Three Large Storm Water Outfalls
That Cause Cross Currents

data.¹⁶ Since the New River is connected to a major regional drainage canal under the jurisdiction of the US Army Corps of Engineers and local sponsor South Florida Water Management District, additional velocity of current in the New River may be result from high stormwater discharge conditions- which in subtropic South Florida happen frequently and in extreme storm events (hurricanes) will increase even further and in essence replace the low tide condition for extended periods.

A recent concerted effort by the USCG, which is to be commended, is to investigate navigational conditions. In addition to attending the recent USCG public information session in Ft. Lauderdale, this consulting team has coordinated nearly 200 responses to the navigational survey which were electronically sent to the USCG. The responses are too lengthy to attach to this document, however none are supportive of the current navigational conditions on the New River. Upon request we will be glad to share those comments, plus the more detailed results of vessel traffic and bridge closure studies which we conducted, with the FRA.

Many experienced captains, and not so experienced boat operators, responded to the survey noting the challenging navigational conditions. Here is an example (circa 1994) from a Captain who is also Chief Engineer [emphases added]:

Esteemed [USCG] Commander:

*I have navigated the New River in all manner of vessels over the past 40 years, often stymied by the **FEC bridge. It is old, slow, and inefficient from my observation.** The extremely low vertical clearance it affords restricts all but the smallest vessels that continually transit the crossing. Many of these vessels can clear the rest of the drawbridges without opening. My concern is that these "in-between" vessels will be trapped in the very close confines of the river on either side of the railroad, creating a congestion problem if openings are too short and/or infrequent. This would be particularly problematic for the inbound vessels on a following tide. Smaller vessels are typically piloted by less experienced operators that do not understand the maneuvering challenges of a super yacht in tight quarters. This is a recipe for increased damage*

¹⁶ SEE NOAA, Tides and Currents. Available [online] June 19, 2014. http://tidesandcurrents.noaa.gov/get_predc.shtml?year=2014&stn=5484+Miami%20Harbor%20Entrance&secstn=Fort+Lauderdale,+New+River&sbfh=-0&sbfm=14&fldh=-0&fldm=01&sbeh=%2B0&sbem=28&ebbh=%2B0&ebbm=52&fldr=1.4&ebbr=0.8&fldavgd=005&ebbavgd=130&footnote=

and personal injury, not to mention frustration and inconvenience. A 50-50 open-close schedule would push the limits. A 10-minute opening every half hour would be worse.

*I personally own a 32' sailboat and frequently serve as freelance chief engineer on large motor yachts. The current situation is an inconvenience most of us are prepared to tolerate. As navigation on the river becomes more difficult, the options for yard service and dockage outside of our area become more attractive and local economy suffers. **I support All Aboard Florida as a private enterprise. The public benefit of this initiative is long overdue. It must, however find a way to coexist with our treasured public waterway and other private enterprises.***

I would encourage some sort of compromise that would include a commitment from FEC to improve the crossing over time, allowing faster openings and increased vertical clearance. The best case for me would be a tunnel with an underground station at 2nd Street. This would alleviate traffic problems at the river and Broward Blvd. crossings for trains, vehicles and vessels. It would also provide a much more beneficial location for passengers access to downtown business and entertainment. Just have to find a way to pay for it.

Regards,

David Lenit, Chief Engineer and Florida Representative for Chem-Free™ Ozone Systems
www.chem-freeozone.com

The following account is from the same Captain who was delivering a boat to one of the service marinas for maintenance and repair (a common type of marine traffic), and indeed was trapped between the Andrews Avenue and FEC bridges.

*I left ... [a nearby home dock] ... at 6:00 AM with the idea that I would get under the downtown bridges before they locked down for rush hour. It was a 53' sailboat towing an inflatable dinghy before a following tide. I was single-handing in less than ideal conditions because the boat [in need of repair] was taking on water with limited battery power to run the bilge pumps. **It would have gone seamlessly if not for the repair crew on the FEC bridge. I became trapped between Andrews Avenue and the train bridge which was half-way closed, for an indefinite period of time.** I had to back down against the tide and ultimately rafted off of a steel schooner tied up at the Las Olas Riverfront. I walked up to the bridge to talk to the repair crew and they said they had **no idea how long the bridge would be closed.** After **waiting several hours**, I heard the distinctive whistle of the Jungle "yes, as a matter of fact I do own this river" Queen. I took that as a cue to start my engine, single-up my lines, and sure enough, they opened the bridge for her. I tucked in close behind and shot through the bridge before they closed it again.*

2.3. Bridge closure and marine vessel traffic studies

This reviewing team conducted two detailed vessel traffic surveys over a total of 21 days through May and June 2014, and which includes bridge closure timing and observation. The surveys included camera monitoring of vessels, so we are able to determine height and type of vessel; we have over 35,000 such images logging vessel traffic at the FEC bridge, and the CSX bridge. Our study also includes transit time between the two rail bridges, since some vessels transit both. We also reviewed past vessel studies for comparisons and methodologies. While some summary results are provided below, additional data are available.

Conclusions and recommendations are:

- a. There is a wide variance of FEC bridge closure times. The DEIS claim must be proven to be reliable, and must be enforceable before we would accept it. That is, that bridge closure time can be predictable, and closure time can be reduced through new efficiencies. Violations of USCG rule occur today- these must be remedied in the future.
- b. Comparing the average figure used for DEIS modeling to this team's 18 day study, DEIS vessel traffic figures at the FEC bridge are understated as much as 20 %. In that study the split of vessels over and under 21 feet was 17/83 percent, respectively.
- c. Peak day vessel traffic is a measure which should weigh heavily in modeling, planning, and mitigation decisions. An acceptable level of service approach should be considered to inform planning decisions, design and bridge operating schedule adopted by rule.
- d. The DEIS must be improved with better clarity of data, additional study including height, type and size of vessels, and comparison with newer traffic studies than those performed for the Navigation Discipline Report.
- e. The means of mitigating the FEC bridge obstruction must not be done at the expense of transferring the bottleneck problem to the CSX bridge.
- f. The USCG should validate all studies and approaches, which they called for in June 2014 commenting letter.

Bridge closure

Our May 16-18, 2014 FEC bridge closure study concluded that with rail operations as they exist today, marine vessel traffic is delayed at the FEC bridge by approximately 9 to 72 minutes, which occurs 2 to 7 times per day during daylight hours. Closures of 72 minutes, while considered outliers of the data, are far in excess of the 19 minute average closure time reported in the DEIS, and clearly obstructive.

For the same period with rail operations as they exist today, marine vessel traffic is delayed at the CSX bridge by approximately 5 to 13 minutes, which occurs 1 to 3 times per day during daylight hours.

All of the observed trains were freight trains. The field observations confirm reports that bridge closures sometimes occur **without** trains crossing the bridge. Referred to locally as “ghost trains,” at least six of the twenty closures at the two bridges recorded in the 3-day period occurred when no train was crossing the bridge, which is a violation of USCG rule. The DEIS does not discuss the impact of closings due to trains occupying the block adjacent to the bridge which cause the bridge to lower to the closed position until the train moves out of the block signaling to the control center that the bridge can be opened. These closings may include freight train switching operations, red signals indicating the next block the train is moving to is occupied and in the case of the Ft. Lauderdale Station in the future that a train is at the station allowing passengers to embark and disembark.

Numerous field reports from various sources are available which prove obstruction and economic business damage, with a notable recent one accounting for over 45 minutes on November 30, 2014, and approximately six hours on December 1, 2014:

“Captain Dennis Corcoran of the Fort Lauderdale and Hollywood Water Taxi was on the water with passengers when the [FEC] bridge got stuck down twice in two days. The first time was Sunday night and then he could not believe it happened again on Monday afternoon. “On Sunday I was trying to get our fleet back to home base just west of the bridge. After 30 minutes of waiting and no trains we called the bridge attendant and I was told the bridge had a malfunction and they did not know how long it would be down. We had to tie our boats up East of the Bridge and walk back to our office.”

“Monday afternoon the [FEC] bridge went down and a train passed over and then it was stuck down for at least six hours. This really messed up operations for us as well as many other commercial marine operations and recreational boaters. I found out from my manager that they called the bridge attendant and he was told the bridge was malfunctioning and they did not know when it would come back on line.”

Elsewhere in this document, it is pointed out that the DEIS is missing a credible calculation of business damage, and suggests a methodology for doing so.

Vessel traffic

In our May 16-18, 2014 FEC Bridge traffic study , observed vessel traffic transiting the bridge in the 3-day period totaled 1,080 vessels, or 360 vessels per day. This result is roughly equivalent to the weekend figure reported in the DEIS, however 67% higher than the DEIS average benchmark used for modeling, which is 215 vessels.

	Daily count	Avg./day
16-May	168	
17-May	411	
18-May	501	
Total	1080	360

A second study performed over 18 days (May 23- June 9, 2014) was performed using cameras, then quality controlling the data by omitting duplicates, outliers, and rail bridge closure. Vessels were measured for height using an interpretative photo program, and categorized as under or over 21 feet. Before editing, over 37,000 images were collected for observations at the FEC and CSX bridges combined.

Presented in a summary table below, an average of 268 vessels over the study period resulted, with 83% under 21 feet (to trigger a bridge opening), and 17 % over 21 feet height above water line. An estimate of 1% of vessels consisted of paddle boards or small dinghies, so totals should be reduced by this amount. Compared to the DEIS average vessel figure of 215, this study finds average volumes approximately 20 % higher.

Vessels of All Types Transiting the FEC Bridge, May 23 – June 9, 2014 (0500-2400 hours)				
FEC	Total	under 21	over 21	
23-May	87	55	32	*
24	654	579	75	Sat
25	848	763	85	Sun
26	637	573	64	Holiday
27	193	127	66	
28	165	117	48	
29	148	90	58	
30	152	116	36	
31	257	225	32	Sat
1-Jun	342	316	26	Sun
2	59	47	11	*
3	117	33	84	
4	105	71	34	
5	165	129	36	
6	213	176	37	
7	323	282	41	Sat
8	213	195	18	Sun
9	139	107	32	
Average	268	222	45	
% of Total		83	17	

* Not full day of observation due to camera installation or malfunction.

2.3.1. Monthly traffic transitioning New River bridges

From Broward County bridge tender data, patterns of larger vessel traffic can be discerned, however these data do not reflect total number of vessels transiting the road bridges. The data represent the monthly number of vessels transiting the New River which are large enough (with air draft in excess of

approximately 18 ½ feet) to warrant bridge openings. Thus, the totals below do not include total number of vessels using the waterway.

The variance of vessel traffic during high season (i.e. tourist season/ non-hurricane season from November to May) versus low season (hurricane season June to October) was examined. Based on three years of data from Broward County bridge operations in the downtown only (with some extrapolations for missing monthly data), the average:

- High season number of vessels is 1,272 and bridge openings is 925 (monthly)
- Low season number of vessels is 979 and bridge openings is 781 (monthly)

Thus, about 30 %more vessel traffic is experienced in the height of season, with about 18 %more bridge openings. The data used to reach these observations are presented below, with original data sources further explained in the bibliography.

Variance of New River Vessel Traffic, High and Low Season										
(V= Number of vessels transiting the bridge when open, and which requested an opening; O= Opening of bridge)										
	2012		2013		2014		High (N-M)		Low (J-O)	
	V	O	V	O	V	O	V	O	V	O
Jan	na	na	1172	893	1133	871				
Feb	na	na	1220	877	1327	955				
Mar	na	na	1239	909	1393	1024				
Apr	na	na	1215	1000	1344	975				
May	na	na	1277	950	1192	893				
Ju	na	na	973	789						
Jul	860	723	970	790						
Aug	na	na	896	752						
Sept	na	na	752	629						
Oct	1257	894	1147	891						
Nov	1113	846	1271	920						
Dec	1160	918	1197	921						
Average of H & L season months							1232	925	979	781
NOTES: 1. Based on average of vessel traffic and openings for 3 downtown bridges, namely Andrews Ave., SE 3rd Ave., and SW 4/7 Ave.; Source- Broward County.										
2. Some May 2014 data are extrapolated due to missing daily logs.										

Comparing the traffic study data in section 2.3 above with the Broward County high season data and converting to days, our vessel study data is validated. In other words, 42 vessels per day is roughly equivalent to 45 vessels per day requiring a bridge opening. All vessel survey data in the DEIS, and other traffic studies, should be considered in light of the high and low season trends.

2.3.2. Transit time between the FEC and CSX bridges

In consideration of a schedule for bridge operating rules, a cursory analysis of the transit time from the FEC to the CSX bridge is presented. The distance between the two bridges is approximately 2.62 statute miles.¹⁷ A sampling of seven different size vessels which transited the 2 bridges was selected from the vessel traffic on May 18, 2014 as shown in the table below.

Transit Time Between FEC and CSX Bridges (Summary data)

Type of Boat	Size (Length in feet)	Time elapsed between bridges (minutes)
River Boat	18	29
Pontoon	20	114
Motor Yacht	30	120
Sport Fish	36	83
Motor Yacht	42	29
Motor Yacht	70	23
Commercial River Boat	150	31

SOURCE: ESI vessel study, May 2014.

A simple average of the time data collected from all trips yields an average transit time of 50 minutes, however omitting the outlier data (highs and lows) and then averaging, the more realistic estimate of travel time is 29 minutes.¹⁸ Explanations for the wide variation in transit time are speculative, however may include boaters who stop for dinner, visitation, or other business along the way. Calculated speed over this distance means an average of 4.7 knots between the bridges (speed over ground), and which takes into account other vessel traffic, tidal current, wind, etc.

¹⁷ As measured through Bing mapping tool.

¹⁸ All time data considered is not presented in Table ?

The US Coast Guard may find this initial study of transit time helpful in examining the need for operating schedules of the various bridges along the New River, and including the railroad bridges. The data collected for this study can be further analyzed to determine the typical number of vessels which travel the entire length of the New River, however that detailed analysis was not performed for this more limited scope.

2.4. Emphasis on peak demand, Level of Service analysis

While there is some DEIS discussion of traffic variance and weekend/holiday peaks, (for example, page 5-25 to 5-26 which states

“For the New River Bridge, arrivals ranged from 37 to 508 vessels during the 2014 Video Survey and arrivals were higher than 215 vessels 36 percent of the time. On peak days, navigation impacts may be substantially greater than what is depicted in Table 5.1.3-8.”

the vessel traffic mitigation modeling and assumptions in the DEIS are based largely on **average** vessel traffic. From the vessel traffic studies conducted by the authors of this response, even higher variances of traffic are observed for peak days, with some over 800 or 900 vessels per day. A recent vessel traffic study conducted by the Marine Industries Association of South Florida reports this number exceeded 1000.

While the DEIS’s conclusion is that minimal navigational impact will result from the project, it contradicts that conclusion on page 5-26, by stating that “on peak days, the navigation impacts may be substantially greater than what is depicted in Table 5.1.3-8.” This review Team contends that the peak traffic matters more than averages, for two main reasons:

- a. Ft. Lauderdale thrives on a tourist-based economy, hinging in part on its marine activities and mystique which includes special events. Special events rely on accommodating peak demand; The Winterfest Boat Parade is one prominent example.
- b. If road planning were based just on averages, our road systems would fail miserably.

Level of service (LOS) may be defined as a qualitative measure used to relate the quality of traffic service. LOS is used to analyze highways by categorizing traffic flow and assigning quality levels of traffic based on performance measure like speed, density, etc. and at peak demand times.

However, in the case of the New River the channel is relatively narrow and depending on the size of the vessel may not accommodate vessel traffic in two directions at choke points in the channel. It is probably best to describe the channel as a “narrow highly trafficked waterway, which must accommodate a wide range of vessels ranging in size from canoes and kayaks to 200 foot long mega yachts being towed by a tug with a tug in the rear to help guide the vessel”. The predictability of vessel

traffic at any given time or period of day as in highway analysis is not possible in such a case as we have with the New River.

While these tools may not be directly applicable to a waterway such as the New River, the US Army Corps of Engineers¹⁹ is applying Level of Service to Inland Marine Transportation Systems; it may be advisable for the United States Coast Guard to do so as well, unless they already have considered such approach.

2.5. Economic impact is not minor, therefore obstructive

This analysis rejects the notion that “minor economic impact” will result from the proposed AAF project, a claim that is based largely on the expectation that “Combined Effect” will reduce bridge closure times.

From p. 6-9 of the AMEC Navigation Discipline Study,

The increase in average vessel wait times results in **minor economic impact** [emphasis added] under the Combined Effect (Table 6.4-2), which is estimated at \$161 per day (a decrease in loss of \$212 per day when compared to the No-Build Alternative versus Existing Conditions). This is the cost of the total vessel delay per day on the marine industry under the Combined Effect, and creates a minimal impact as there is a less than 0.1% increase in the percent cost of waiting compared to the marine industry value at the New River, when compared to the No-Build Alternative.

First, this analysis **dismisses the conclusion that “minor economic impact” will result, in part since the quantification is vastly understated.** While the valuation of fuel and other operating expenses is part of a valid approach, it is unclear how the DEIS assigns such nominal value, and **unacceptable that it disregards such additional losses as real estate value, and marina business deterred by the inconvenience of the bridge delay.**

Second, it is unclear how this figure reconciles (or is contradictory to) with the DEIS claim on pp. 5-29 to 5-30, which in the following excerpt presents an economic impact figure about twice as high.

New River

The anticipated increase in average vessel wait times associated with additional bridge closures and unimproved infrastructure would result in an increase in vessel queues of 18 vessels per day. These increased vessel wait times were considered when evaluating economic impacts to commercial

¹⁹See August 13, 2014 publication by Jeff McKee, Chief, Navigation Branch Operations and Regulatory Division USACE available [online]

http://www.iwr.usace.army.mil/Portals/70/docs/IWUB/board_meetings/meeting69/IWUB_meeting_69_Level_of_service_update_jeff_mckee_081313.pdf

developments along the New River. The increase in average vessel wait times for commercial and recreational vessels is estimated to result in an economic impact under the No-Action Alternative (Table 5.1.3-11) of **\$373.00 per day** [emphasis added] or \$136,145 annually. This value is the difference between the estimated economic impacts from the No-Action Alternative compared to the impact of Existing Conditions. This represents less than a 0.1 percent increase in the total cost of vessel delays per day on the marine industry under the No-Action Alternative (AMEC 2014a).

In either case, the daily figure for economic impact is considered vastly understated, and not inclusive of all relevant impact considerations.

To illustrate just one portion of why the quantification is understated, below is a testimonial from Dave Lenit, a Chief Engineer of Happy Diesel Inc. (MCA Certified-Cayman and Marshall Islands; 500 Ton, Y3 Rating).

Assuming just one mega yacht with minimal crew of Captain, Engineer, 1st Mate, and Deckhand, and which holds position in 2 knots of current in the New River, awaiting a bridge closing (avg. 19 minutes), an approximate minimum of \$56.08 of expense would be incurred (not including such valid costs as insurance, wear and tear, or other overhead). If the yacht is in tow with 2 tugs, this estimate will increase.

This estimate is calculated as follows:

Estimated minimum operating cost for mega-yacht per hour

	Salaries per day (\$)	Gallons used	Total
Captain	500		
Engineer	350		
1 st Mate	250		
Deck Hand	150		
Subtotal	\$1250/day		
Generator fuel use/hr. x 2 generators		10 gal. /hour	
Engine fuel use/hr. x 2 engines		15 gal./hour	
Subtotal		25 gal./hour	
Cost per gallon		\$5	
Cost per hour	\$52.08	\$125	\$177.08

$$(177.08 \text{ per hour}) \times [(19 \text{ minutes}/60)=0.31] = \$56.08$$

Therefore, **if just three yachts are detained by bridge closure in one day for 19 minutes each, the unrealistic DEIS estimate of total loss (\$161) is exceeded.** With hundreds of boats transiting the bridge each day, this cost will be amplified. This demonstration is unrelated to other analysis of other economic impact, such as lost business, real estate devaluation, etc.

2.6. Example of missed economic opportunity because of obstruction

The DEIS fails to accurately estimate economic activity that is deterred by the FEC bridge that often closes the waterway. For example, Mr. William Walker, owner of “Water Taxi of Ft. Lauderdale” operates a fleet of 14 boats carrying over 440,000 passengers each year. His water taxis serve the area east of the bridge, but not the other numerous attractions west of the FEC bridge (for example, the numerous civic buildings, performing arts theatre, science museum and historic district that are a short distance west of the bridge. This is because unscheduled, often extended, rail bridge closings would frequently cause great delays and anger water taxi customers. The size of the Water Taxi fleet is 12 to 21 feet in overhead clearance so they can clear all but the FEC bridge (except for high tide). ²⁰

“There are numerous potential water taxi stops upriver of the FEC bridge which would be profitable and would benefit the travelling public. However, we can’t service them due to the unpredictable and long closures of the FEC rail bridge, so won’t risk customer complaints,” said William Walker, Owner and Principal of Water Taxi of Fort Lauderdale, LLC. “This is a missed opportunity to improve public transportation, and a missed business opportunity.”

2.7. Future and cumulative forecasts not considered for resulting obstruction

Future rail operations will consist of the exiting freight rail and the proposed passenger rail operations; also the probability of increased freight traffic due in part to the planned improvements at Port Everglades and Port Miami need to be considered. These have been extensively described by FECR (including in their presentation to the 16th annual Transportation and Infrastructure Summit) and by the Florida Department of Transportation, the Florida Seaports Council, and the Metropolitan Planning Organizations of the three South Florida Counties, among others.

The increased tonnage expected at these ports is order of magnitude three times greater than presently handled at these ports according to the FECR presentation. There is therefore a possibility for rail freight operations to triple to meet this additional demand required to move the container (intermodal) traffic northward from Port Miami and Port Everglades to Jacksonville and connections to other freight carriers. The train movements to be accounted for in the future would consist of 33 (11X3) freight trains per day and the 32 planned passenger trains proposed by AAF.

²⁰ Water taxi vessels range in size as follows:

Length	26 to 65 feet
Beam	9 to 20 feet
Overhead Clearance (air draft)	12 to 21 feet

In addition to the FEC and AAF planned train movements Tri-Rail Coastal Link is proposing up to 60 trains per day on the FEC Corridor originating from the Tri-Rail Coastal Link Red Line Corridor crossing on the Pompano Connector to the FEC Corridor. These estimates contradict the estimated 20 freight trips per day listed in the DEIS. This dramatic increase in freight, passenger and commuter Rail operations requires consideration of separation of freight and passenger operations to improve the service on the existing corridor and lessen the impact on navigation at the New River and the other movable bridges at St. Lucie and Loxahatchee Rivers.

Future Freight

AAF's proposal hinges on what the Team considers a faulty assumption- that there will be no additional bridge closure delays due to volume of train traffic, freight and passenger combined. As stated in 2012 AAF, Environmental Assessment:

“At the highest utilization rate of the ROW, which occurred in 2006, there were 23 through-freight trains per day over this FEC corridor running daily on the existing track (i.e., those trains running through one or more terminals before reaching a final destination, as opposed to local freight trains serving customers along the line). By contrast, and as discussed herein, the operations proposed for the Project – even when combined with existing and future freight operations – will be more limited. This is true because more efficient freight operations with faster, longer trains, have resulted in a reduced usage, with only 10 daily through-freight trains in operation today.”

The Project Team considers this vastly understated, with our engineering assessment arriving at an estimate three times the AAF claim. This is supported by extensive evidence presented below.

First, Florida is actively marketing for more national and international seaport/cargo business, with 13 international Enterprise Florida Offices abroad including the cargo-rich Pacific Rim (Shanghai, Hong Kong, Taiwan, and Tokyo),²¹ private and public investments in Florida Seaports, intermodal logistics centers, and inland ports; all portend more freight traffic. Some question whether one of the main drivers of extra freight, which is the completion of the Panama Canal extension, will be delivered on time. A recent conference presentation by a Canal representative, and **(coincidentally) moderated by Florida East Coast Railway (FEC) President** and Chief **Executive Officer Jim Hertwig**, downplayed the recent work stoppage and reassured the audience that the massive public works project is on target for end of 2015 completion.²² Of course increased shipping through the Panama Canal will mean little to Florida if the freight can't be captured and distributed through the Port of Miami. “The port [of Miami]'s

²¹ See also article available [online] <http://government.brevardtimes.com/2014/03/florida-opens-business-development.html> , March 31, 2014.

²² Available [online] <http://www.progressiverailroading.com/shippers/article/Panama-Canal-expansion-will-be-completed-by-2015s-end-canal-official-says--39862> , March 31, 2014.

access to rail and intermodal connections will be key to making it an attractive port for shippers,” said Bill Johnson, Director of the Port of Miami.²³

Next, consider the overview of testimony of FEC President and CEO James Hertwig at the 16th Annual Transportation & Infrastructure Summit Conference held in Irving Texas (August 7, 2013) which underscores freight opportunities, and public and private investment at the Port of Miami and Port Everglades:

FEC Overview

- 351 miles of mainline track
 - Only railroad along Florida’s east coast
 - Unparalleled link between Florida rail traffic and nation’s rail network
- Most direct and efficient North/South mode for transporting multiple types of freight
 - Competitive advantage over motor carriers due to highly congested roadways and challenging trucking environment
- Attractive freight mix
 - Intermodal containers and trailers
 - Carload
- Crushed rock (aggregate)
- Automobiles, food products and other industrial products
- Connect to national freight network via CSX and Norfolk Southern in Jacksonville

Key Florida Attributes

- Large Consumer Market
 - 4th largest state economy in the U.S. (by GDP) (1)
 - Over 19 million residents, 3rd largest state population behind California and Texas (2)
 - More than 85 million out-of-state visitors annually (3)
- Strategic Location
 - Primary gateway to Latin America; accounts for more than one-third of all U.S. trade with Latin America
 - 3 of the nation’s 15 largest container seaports
 - Closest U.S. ports of call from Panama Canal (Port Miami and Everglades)

²³ Available [online] <http://www.progressiverailroading.com/shippers/article/Panama-Canal-expansion-will-be-completed-by-2015s-end-canal-official-says--39862> , March 31, 2014.

- Large Consumer Market
 - 4th largest state economy in the U.S. (by GDP) (1)
 - Over 19 million residents, 3rd largest state population behind California and Texas (2)
 - More than 85 million out-of-state visitors annually (3)
- Strategic Location
 - Primary gateway to Latin America; accounts for more than one-third of all U.S. trade with Latin America
 - 3 of the nation's 15 largest container seaports
 - Closest U.S. ports of call from Panama Canal (Port Miami and Everglades)

The Asian Market Opportunity

- Panama Canal expansion will allow larger vessel passage
 - Currently can accommodate 4,800 TEU vessels
 - Post expansion, Canal will accommodate 13,000 + TEU vessels which will allow for faster all-water times to the East Coast for the more cost efficient “large vessels” (larger vessels are 30% more cost efficient)
- Currently only 2 ports on the eastern seaboard with 50' water depth
- Over the last 3 years, the Port Miami received funding for over \$1.0 billion in infrastructure improvements, which combined with the Panama Canal expansion, will make it a gateway for import/export activity
 - On-dock rail restoration, with direct rail access to intermodal yard (FEC), and straight-track access to North Florida and beyond utilizing FEC Railway infrastructure (Completion: 2nd half 2013)
 - The Tunnel project will allow for better, and incremental access of freight flows in/out of the Port (Completion: May 2014)
 - 50' dredge expected to be completed in 2015 in concert with the Panama Canal expansion project

Strategic Initiative: On-dock rail service at Port Miami

- Implementing on-dock rail service at Port Miami allows FEC to directly serve Port customers
 - Only railroad with direct access to the Port
 - Trains will be run directly from the Port to the FEC mainline
- Total project cost \$45-50 million
 - Federal TIGER II grant (\$23M)
 - Florida DOT (up to \$9M)
 - Miami Dade County (up to \$5M)

- FEC (up to \$9M)
 - Q2 2013 Update
- Rail line lead to Port has been completed
- Bascule Bridge rehabilitation phase has begun
- Joint marketing program with the Port has begun
 - Estimated startup date: 2nd half 2013

Strategic Initiative: ICTF and near dock rail service at Port Everglades

- ICTF Groundbreaking Event took place on January 17th to announce the start of construction on a 42 acre Intermodal Container Transfer Facility
- Total Cost: \$73M
 - FEC-State Loan and Cash ~ \$35M
 - Broward County ~ \$20M
 - State Grants ~ \$18M
- Q2 2013 Update
 - Lease agreement with Broward County executed
 - ICTF design-build request has been awarded to The Milord Company
 - Received State Loan funding in Q3
- Estimated completion during the 1st half of 2014

It is therefore clearly evident that FECR and FECI fully expect to provide increased freight rail operations in the near future. The AAF proposal for Passenger Rail Service is only one component of the total rail traffic that needs to be analyzed in considering all of the impacts which will have an effect on marine traffic transiting the FECR corridor and the marine community in general i.e., yachting service industry, real estate interests, marinas and repair facilities, which are located west of the FECR corridor.

The FRA, USCG and other permitting agencies must also not neglect analysis and engagement with CSX railway. Recalling that CSX is approximately four times the size of FEC in Florida, this is another huge factor driving future rail planning in South Florida. While CSX rail lines are not directly connected seaport dockside like FEC, CSX is integral to cargo movement throughout the State and to seaports outside of South Florida. If there is any doubt about its future business interest moving freight, one example is its April announcement of the opening of the Central Florida Intermodal Logistics Center in Winter Haven, FL. Owned by Evansville Western Railway, the 318-acre facility... “will be operated by CSX Intermodal Terminals Inc. and served by CSX Transportation. Containerized freight previously handled at CSX's Orlando terminal will be shifted to the Winter Haven facility, while the Taft yard in Orlando will

continue to serve other CSX needs. [It will] ... serve as a centralized hub for transportation, logistics and distribution needs in Orlando, Tampa and South Florida.”²⁴

Additional specific DEIS comments on this topic follow:

(DEIS, Page 3-26) 3.3.2 No-Action Alternative and (DEIS, Page 3-37) Bridge and Structures and Table 3.3-5 Proposed Bridges, N-S Corridor

Comment: The **existing and future freight train operations of the no-action alternative are incorrect; they do not include the increase in freight traffic planned for by FEC due to the Post Panamax expansion** and the dredging and rail infrastructure improvements at Port Miami and Port Everglades to accommodate the larger Post Panama expansion container ships.

(DEIS, Page 3-34) 3.4 Operations

Comment: The operations described in the DEIS **do not accurately reflect the total projected increase in freight traffic throughout Florida** due in part to increased activity at Port Everglades and Port Miami following the Panama Canal Expansion. FEC has on numerous occasions discussed the increased traffic on FEC with Florida Legislators, senior Florida agency staff, and Industry leaders. FEC has made substantial improvements to their rail facilities at the Ports due to this proposed Panama Canal generated shipping, and the State of Florida has made substantial investments in seaports, Strategic Intermodal System planning, and the Florida Freight Mobility and Trade Plan. It is a major omission to exclude from the DEIS this projected rail traffic increase. Shared use of the corridor by Tri-Rail Coastal Link also needs to be considered and evaluated with regard to train speeds.

2.8. Future Freight Growth Beyond Year 2016 of 3% is Likely Understated.

Per the DEIS and other authorities, the Panama Canal re-opening is expected in 2016, and freight train traffic will grow from 14 trains today to 20 trains by 2016; thus the Navigation Discipline Report anticipates traffic growth at 12.6% per year through 2016.

However, in the years following 2016, the DEIS reports that freight train growth will then fall to just 3%. Following the opening of the Panama Canal, it appears unlikely and is unsubstantiated

²⁴ Available [online] at <http://www.progressiverailroading.com/prdailynews/news.asp?id=39979>, April 03, 2014.

that growth in freight train activity would fall precipitously in the years immediately afterward.²⁵ Sharply lower freight growth rates are especially unlikely when considering the billions of dollars in port, intermodal and rail facility improvements which are currently underway at the Ports of Miami and Everglades in preparation of the post 2016 expanded Panama Canal opportunities. FEC alone is making tens of millions of dollars of investments to capture container freight cargo and increase rail capacity utilization which became available when aggregates and building materials freight declined during the recession.

We respectfully request that the DEIS provide more thorough and consistent explanation of the assumptions about future freight train growth through the foreseeable planning period defined in prior project documents, meaning the year 2032.

²⁵ See various State of Florida freight planning documents, and “Florida East Coast Rail Line To Haul 5% of Truck Cargo From Port of Miami, June 2, 2011,” available [online] <http://www.miamitodaynews.com/news/110602/story2.shtml> , November 30, 2014.

Section 3. Economic impact analysis flaws

In addition to economic analysis flaws highlighted above, this section presents other economic arguments which are deficient in the DEIS.

In particular the findings of economic damages in the DEIS Navigation Discipline Report of July 2014 are invalid due to omissions of forecast freight frequency, number and duration of bridge closings, cumulative impacts over time and resulting obstruction of navigable waters.

The accompanying Campisi report confirms the likelihood of longer bridge closure times. Future bridge closure at the New River Bridge can be expected to reach 40 minutes closed per hour or greater. High frequency and long duration bridge closures coupled with tidal restrictions required for mega yacht movements result in highly impaired navigational conditions for the commercial marine industry, along the New River. Mega yacht servicing and repair makes up the majority of the estimated \$2.9B commercial marine industry economic activity on the New River. Given the failure of the Navigation Discipline Report to model reasonably foreseeable future scenarios, specifically the failure to consider cumulative impacts beyond year 2016; we conclude the economic impacts of cumulative rail effects on the marine industry of the New River are flawed, invalid and sharply understated.

3.1. Value of County marine industry contradictory and understated; New River portion at 1/3 understated; “Minor anticipated impact” rejected

The DEIS, in the Navigational Survey Discipline Report, p. 3-14, values the Broward County marine industry at \$5.2 B, assuming with the New River portion at 32.7% or \$1.7 B/year. This vastly understates the economic value according to a more recent report by the Marine Industry Association of South Florida (Thomas Murray for MIA SF) which estimates the economic impact of the Broward County marine industries at \$8.8B/year, with over 100,000 jobs.²⁶

The DEIS contradicts itself on page 4-24 by citing a 2005 figure which agrees with the very recent MIA SF 2014 study above, as stated here:

“According to a Broward County vessel traffic study (Mote Marine Laboratory 2005), recreational boating represents an estimated \$8.8 billion segment of the local economy. In addition to private recreational boats, the New River is also used by commercial sightseeing vessels.”

²⁶ Sections here and immediately following paraphrased from Mr. Dana Goward, Proprietor at Maritime Governance, LLC, who is a USCG retiree.

Regarding the 32.7% portion assumption, we do not agree with the DEIS assertion that the marine industry, as most any industry cluster, can be geographically “compartmentalized” to a sector of the County. As a cluster it has evolved over time to take advantage of complementary businesses all over the County, if not region. However for argument’s sake if we use the DEIS assertion of 1/3 of the industry’s economic impact corresponds to the geography west of the FEC bridge, then the total impact is still significantly higher (70%), or \$2.9B compared to \$1.7B.

In part these economic impact estimates captures the MIAF’s 2006 report, which found over 1,500 mega-yachts (80’+) (many international) are served by this marine commercial hub, and that average expenditure was \$169,000 per vessel for servicing. This was a marked increase from several years earlier and, since the economic recovery, has most certainly risen. Further, the South Florida Regional Planning Council, in its Comprehensive Economic Development Strategy, 2012-17, finds the economic impact of each mega-yacht is higher - estimating that “... *each [megayacht] visit generates an estimated \$400,000 economic impact through boatyard and marina expenditures.*” Presumably the SFRPC plan includes all direct, indirect, and induced economic impact.

The value of the New River Marine Industry as defined in the FRA-DEIS is based on the number of commercial wet slips on the River as a percentage of all commercial wet slips in Broward County (see Table 2.2-3 below from the Navigation Discipline Report, page 2-5, July 2014).

Table 2.2-3 Percent Representation of each River Relative to the County in which it is Located

	Number of Wetslips at Marinas, Dockuminiums, Private Clubs and Hotels and Restaurants			
River	County	On the River	In the County	River Percent
New	Broward	818	2,500	32.7%
Loxahatchee	Palm Beach	534	2,300	23.2%
	Martin	0	900	0.0%
St. Lucie	Martin	746	900	82.9%
	St. Lucie	222	1,450	15.3%

There are multiple ways to measure the “value” of the marine industry. These could be based on marina value or marina sales. The measure chosen in the Navigation Discipline Report is not value based. It is numerically based according to slip count, without taking into account any economic value or economic measure.

The measure of the marine industry excludes residential wet slips and recreational activity as a component of the marine industry. Conversely however, the complete Marine Industry is defined as including recreational boating by AMEC on page 3-11 of the Navigation Discipline Report. The methodology used to define the value of the Marine Industry along the New River is highly flawed. The methodology a) is not value based and b) fails to include residential slips as part of industry value. Thus 77% of all boat traffic on the New River (the recreation portion), as described in the Navigation Discipline Report Table 3.3-4., is excluded and no valuation is assigned to the recreational portion of the marine industry.

(Navigation Discipline Report, July 2014, page 3-11) [While secondary to marinas and other public marine facilities, an inventory of the docks and slips at waterfront housing developments is important to provide an overall picture of the complete marine industry and recreational use of the New River.](#)

The New River Marine Industry valuation methodology used by AMEC for the DEIS is inconsistent with AMEC's own method of calculating economic damages. Calculation of the economic damage due to bridge closure wait times does include recreational boat trips. In contradiction, recreational boating value is not included in the marine industry value. As a result, economic damages which may occur beyond to cost of wait time delay, such as market share loss for business and property value loss for residential and business would be understated.

(Navigation Discipline Report, July 2014, page 6-10) [Commercial destinations on the New River are primarily boat/yacht repair and support facilities. These facilities are anticipated to incur minor impacts to their business as a result of the moderate impacts of the Combined Effect on vessel wait times and queue lengths.](#)

The assertion that "minor impacts" to marine business is flatly rejected by this team's analysis. The Navigation Discipline Report in estimating economic damage assumes that no market share of business activity will be lost as a result of the proposed action, only incurring the cost of additional time delay. This is incorrect. The evaluation of the proposed action failed to include reasonably foreseeable future rail actions. By this omission alone, the economic damage is vastly understated by failure to include market share loss and economic loss in recreational segments of the marine industry.

3.2. Omission of Property Value Impacts

Surprisingly, the Navigation Discipline Report, under Direct Economic Benefits, page 2-2 states:

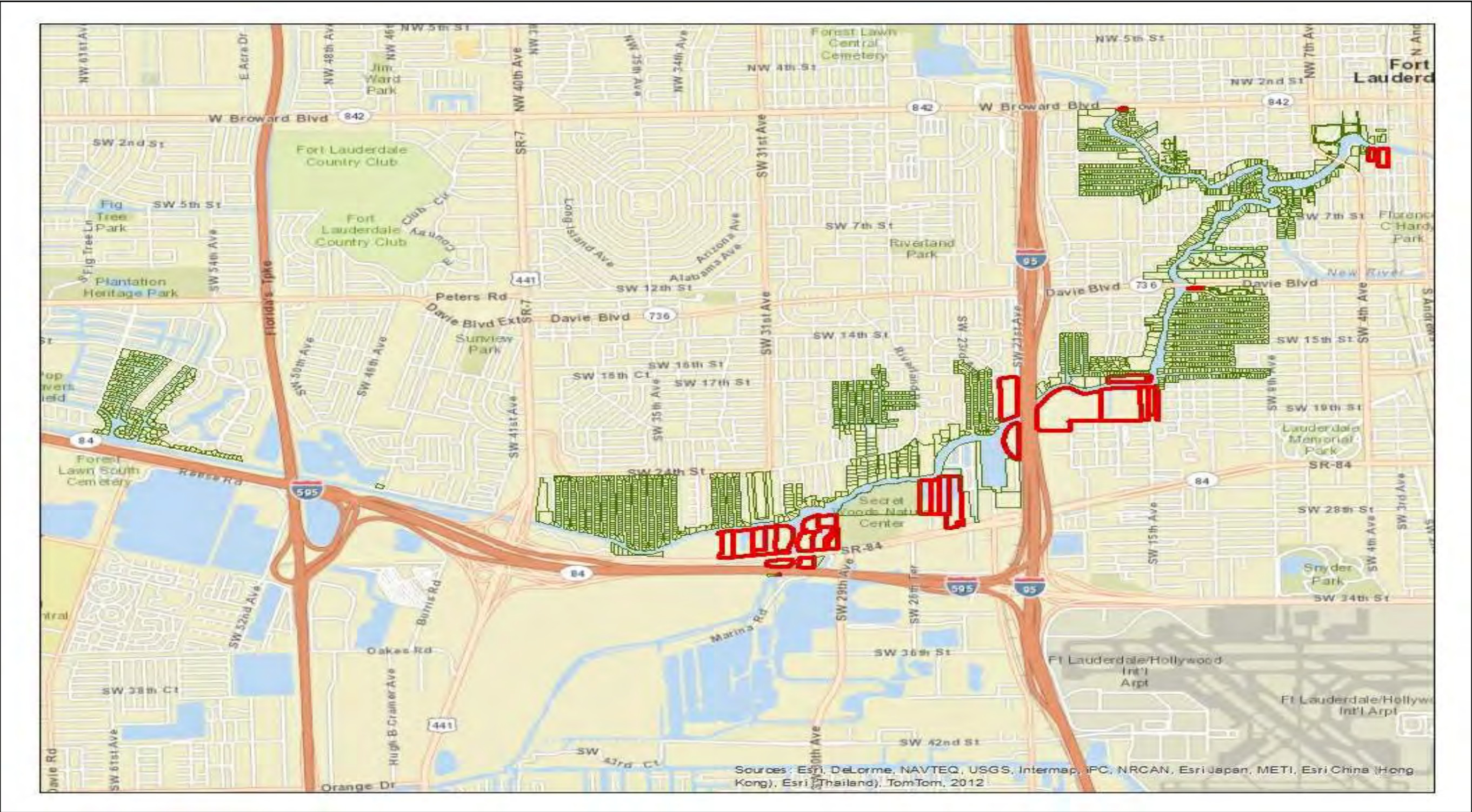
"These analyses do not include the impact of the marine industry on property values; accordingly, property value impacts will not be discussed in this report." The omission of property value must be remedied in future revisions of the EIS.

Using a conservative figure (tax appraised value), there is nearly \$900 million in existing New River waterfront residential property value located west of the New River FEC Bridge with direct waterway access. There are approximately 2,900 parcels, with 3,705 residential units comprising this sizable value, in addition to the marine commercial and industrial properties upriver of the FEC bridge, and totaling approximately 1,600 acres.

This impacted area does not include those who would bear secondary impacts from the railroad (public boat ramp users, residents and emergency vehicles delayed by at-grade rail crossing delays, etc.). Taxable value is decidedly less than comparable sales (or actual market) value.

Such residential and marine/industrial properties are identified in the Figure below in green and red, respectively. Only the primary impacted properties are highlighted.

Impacted Waterfront Properties Upriver from the FECR New River Bridge



SOURCE: Fishkind and Associates, March 2014. Not to scale.

The River traffic survey indicates 77 %of boat traffic at the New River rail bridge is recreational. The effect of severe limitations on deepwater access due to foreseeable future actions resulting in sharply increased bridge closure times will negatively impact these property values.

The cost of marine industry impacts due to sharply increased bridge closure times such that navigation and access is significantly and substantially restricted will result in time delay costs as well as property value losses and business value/market share losses.

3.3. Recommended methodology for future estimate of negative economic impact

The DEIS should be revised to include analyses of property value loss, and lost business due to obstruction due to time delay of marine traffic. A recommended methodology, which should be coordinated with the US Coast Guard and their further review of navigation conditions including the Navigation Discipline Report included with the DEIS, is as follows:

- a. Property value loss can be measured using the value of waterfront properties with deepwater access and comparing the value of like properties between upstream and downstream locations. Upstream locations with longer deepwater access times are hypothesized to be valued less than like properties with shorter deepwater access times. Increased bridge closure times increases the deepwater access time causing property valuations (residential, commercial and industrial) to fall to values similar to properties further upstream.
- b. The same is true for commercial business valuations when affected by market share loss due to increased time delay. This type of analysis or any other analysis of the resulting decrease in property values for thousands of homes and businesses has been specifically omitted from the navigation Discipline Report and the Draft EIS. This is because of the failure to model reasonably foreseeable actions beyond year 1 of the proposed action in year 2016. Further, this results in a failure to acknowledge the real estate economics and consequences put in play due to the impact of extended delay due to lengthy bridge closure on property value and business market share.

At present there are two proposals to construct large scale mega yacht servicing facilities at Watson Island and Port of Miami. Should navigational conditions prove too onerous on the New River, the South Florida market will respond with development of new mega yacht service centers and commercial facilities elsewhere including outside of Broward County. Put simply, there is a real threat to the New River marine industries and real estate values from extended bridge closures.²⁷

The navigational analysis portion of the DEIS should be revised to analyze potential business value loss, plus potential property value loss caused by obstructive FEC bridge closures. The negative impacts to only a segment of the Broward County commercial marine industry (which if the AMEC estimate of one-third of the County's industry were true may be estimated conservatively at \$2.9 billion), plus nearly \$1 billion in residential and

²⁷ Miami Today, Port of Miami Plans Megayacht Marina, November 22, 2014. See <http://www.miamitodaynews.com/news/111208/story1.shtml>

commercial/industrial property values, and the indeterminate value of recreational waterway usage are inadequately and erroneously presented.

The actual property value, capital losses and business market share/sales loss from un-modeled conditions may be unacceptably high.²⁸ This consideration should be taken into account by the US Coast Guard as it undertakes a Truman-Hobbs/ obstructive bridge evaluation.

3.4. Ridership and revenue summary study does not demonstrate profitable operation

The economic analysis does not include a demonstration that the service can be operated profitably. It merely states travel times from Miami to Orlando must be approximately 3 hours to gain necessary ridership to attain profitable operational status. A revenue/expense analysis is not provided which demonstrates profitable operation is feasible. Only a ridership study is provided to demonstrate ridership potential. No analysis of revenue or profitability is included.

Louis Berger Group Ridership and Revenue Summary, September 2013, page 3:

[Ridership and revenue forecast for each of the cases noted above are summarized in Table 1 below for 2019, the first year after stabilized ridership is expected to be achieved.](#)

However, no revenue summary is provided in Table 1 of the LBG Ridership and Revenue Summary report. As well, no findings regarding the ability to operate profitability are included in the Draft EIS. While the project need and forecast ridership may be demonstrated, the underlying premise of financial feasibility remains in question.

²⁸ Present property devaluation argument (which AAF expressly omitted); directly impacted/devalued properties (more than 3,700 residential, marine commercial & industrial parcels on nearly 3,900 acres with taxable value exceeding \$1 billion).

Section 4. Contradiction of public plans, policies and investments

4.1. Tri-Rail Coastal Link Planning

The argument is presented in numerous portions of this document that the public planning well underway by the Tri-Rail Coastal Link project is dismissed by omission in the DEIS. This project is led by the South Florida Regional Transportation Authority (SFRTA), its steering committee, and coordinated with/supported by several public bodies such as the Florida Department of Transportation, Metropolitan Planning Organizations, and the Southeast Florida Transportation Council,²⁹ The result contributes to the objection that DEIS does not adequately consider cumulative effects of all foreseeable future projects, thus omitting important rail traffic forecasts. The DEIS is therefore contradictory of these public plans, policies and investments.

With some newer estimates up to \$850 million, "... SFRTA plans to spend \$600 million to \$800 million on infrastructure investments, including triple-tracking some sections, building 17 to 20 additional stations, and **constructing a new bridge in downtown Fort Lauderdale so the more frequent rail traffic doesn't affect the city's active marine industry,** *[emphasis added]* says SFRTA Director of Planning and Capital Development Bill Cross."^{30, 31}

The detailed development of such capital improvements is being coordinated by RS&H Engineering (see www.rsandh.com) for FDOT. Ms. Amie Goddeau, of the Broward County (District 4 FDOT) is the Project Manager.³² Financing and funding of the project is well underway. In March 13, 2014 a presentation to Broward MPO Board, "Financial Plan Status Report" staff detailed the plan for operating and capital improvements, estimated at \$720- 796 M (2013 \$), with 50 % fed, 25% state, 25% local contributions. The annual operation and maintenance is estimated at \$33-38 M. At least 11 new regional funding sources are being analyzed for the project, such as special assessments, a regional property tax of .5 to 1.0 mils, property tax increment, sales tax, transient sales tax, rental car surcharge of \$2-3/day, automobile registration fee (earmark portion), and annual station fee.

A new mid or high-level bridge over the New River at the FEC crossing is contemplated in multiple documents adopted by SFRTA and Coastal Link Steering Committee as presented elsewhere in this analysis, with conceptual ideas dating back to at least 2006,³³ and drawings dating at least back to 2010.³⁴

²⁹ After several years of ad hoc cooperation, the Southeast Florida Transportation Council was created, under Florida Statutes Chapter 339. 175, to serve as a formal forum for policy coordination and communication to carry out these regional initiatives agreed upon by the MPOs from Miami-Dade, Broward, and Palm Beach Counties.

³⁰ See the March 2014 Progressive Railroading article available [online] http://www.progressiverailroading.com/passenger_rail/article/South-Florida-rail-upgrades-to-provide-more-freight-transit-travel-options--39706, March 23, 2014.

³¹ Telephone conversation with Bill Cross, April 10, 2014.

³² Amy Goddeau, FDOT. See <http://tri-railcoastallink.com/executive-steering-committee.html>.

³³ In the (Tier 1 Draft Programmatic Environmental Impact Statement, Approved in September 2006 by the FDOT and the Federal Transit Administration, " For example, one preliminary assessment is that should the FEC Railway crossing of the New River in Downtown Ft. Lauderdale be utilized, **a high level fixed bridge to replace the existing low-level bascule bridge over the river will be studied to reduce the number of new openings and improve navigation** on that waterway." [Emphasis added] and in 2010, "Operation of the regional rail will require investments in infrastructure and rolling stock. Upgrades to the FEC's railroad infrastructure shared by freight and passenger trains **must include** [emphases added]: ... **Double track on a high bridge crossing the New River (with a separate freight track on the existing drawbridge).**

From the project development document (2014, page 5-15):

“ Proposed passenger rail (both the Project and the proposed AAF) over existing waterways may be accommodated by building a new bridge adjacent to existing FEC Railway bridges or by replacing or modifying the existing bridges. Because these waterways have been designated as navigable by the USCG, the new bridges would require they provide the necessary vertical clearance to “meet the reasonable needs of navigation” for those particular locations as part of the permit conditions. [Emphasis added.] A preliminary survey on navigational issues at the New River crossing and supporting data may be found in the Phase 2 Navigable Waterway Analysis

Technical Memorandum. Generally, the survey revealed that sailing vessels with mast heights of 63.5 feet routinely travel past the FEC Railway Bridge on their way for service at the River Bend Marine Center near I-95. However, the River Bend Marine Center, on occasion, services vessels with mast heights as tall as 95 feet. Additional study is ongoing during Phase 3 to determine the reasonable needs of navigation on the New River and Dania Cut-off Canal. During Project Development, the reasonable needs of navigation may be determined through interviews and meetings with interested stakeholders. A Boat Survey and Bridge Opening Analysis Report was also completed on February 13, 2013 to provide a better understanding of the vessels using the New River and the bascule bridge openings they require.

Bridge opening logs from 2011 were used to determine the frequency and pattern of openings for the Southeast Third Avenue and Andrews Avenue Bridges. February of 2011 was the month within the survey period with the greatest number of bridge openings. The boat survey performed in April of 2011 identified 425 vessels upstream of the Southeast Third Avenue Bridge and Andrews Avenue Bridge that would require bridge openings. Based on the review of aerial photography dated March 26, 2011, it is estimated that approximately 30 percent of the 2,592 vessels traversing the New River upstream of Southeast Third Avenue have a vertical clearance requirement greater than 20 feet.

Important environmental issues are likely related to water quality, wildlife habitat (e.g., manatee protection zones), wetlands, and historic and/ or archaeological areas. In addition to marine and environmental concerns, economic and visual impacts as well as right-of-way acquisitions will be important issues to consider and evaluate in subsequent studies in particular at the New River crossing. Temporary disruption to navigation on the affected waterways will also be an important issue to consider and mitigate during any proposed bridge construction.

³⁴ Example in the following excerpt from the Tri-Rail Coastal Link, Preliminary Project Development Report, April 2014. “5.2.4 Navigable Waterways. The FEC Railway corridor includes 16 bridges over waterways within the study limits. Of these, eight support navigation as defined in 33 Code of Federal Regulations (CFR) Ch. 1, §2.36. The Build Alternative would likely require up to four potential new bridge structures to accommodate the necessary infrastructure improvements. Based on preliminary Phase 3 analysis of the Build Alternative, one of the potential new bridge structures required would include a new moveable, double track structure adjacent to the existing double track bridge at the New River in downtown Fort Lauderdale. The new structure would provide operational flexibility and a greater navigable clearance allowing fewer lift movements of the existing double-track structure to accommodate the implementation of posted navigational clearance times. As an integral navigable waterway for the marine community, additional analysis of the New River Bridge and stakeholder coordination will be conducted during Project Development. As noted during the Phase 2 analysis, new or modified structures at the New River Bridge, the Dania Cut-Off Canal Bridge (in Dania Beach just south of FLL) and the Hillsboro Canal on the Broward County/Palm Beach County line will require additional coordination with the United States Coast Guard (USCG).”

4.2. Contradiction of Stated Local, Regional, and State Public Policy

In the above sections, it has been demonstrated that the DEIS is not consistent with State of Florida freight, seaport and transit/transportation planning, and not consistent with the regional Tri-Rail Coastal Link planning. In addition, the DEIS erroneously implies consistency with other public policy plans by the regional planning organization, and local comprehensive plans. While those plans meritoriously advocate for improved multi-modal transportation and transit, they also generally support the marine industries sustainability or growth in the name of economic development. Because of the detrimental effect obstructive bridge closure will have on the marine industry, the proposed project is contradictory to plans identified below.

As stated on pg. 5-64 of the DEIS, the Florida Coastal Management Program (FCMP) Consistency Review [the Florida State Clearinghouse has reviewed the South Florida East Coast Corridor Transit Analysis](#), a similar project to the Phase I to the WPB-M Corridor described in the 2012 EA. The South Florida project was determined to be consistent with the FCMP, and the State Clearinghouse determined that this consistency determination would be valid for the AAF project because the AAF Project Area is fully encompassed within the South Florida East Coast Corridor Transit Analysis area which was found to be consistent in 2006 and there have been no relevant changes in the CZMA or FCMP criteria that would affect that determination.

This analysis is rejected since many plan changes have occurred since 2006, so it is not understood what consistency is implied. Further page 5-65 of the DEIS states:

[The Project would be consistent with local, regional, and state comprehensive plans. Consistency with these plans has been included in the purpose and need criteria matrix used to develop the Action Alternatives.](#)

The assertion of consistency is rejected by this analysis, as is further presented below:

Regional Planning

The South Florida Regional Planning Council administers policy and planning in the South Florida Region primarily through law via Strategic Regional Policy Plan (SRPP). It also adopts a Comprehensive Economic Development Strategy.

The 2012 Environmental Assessment (p. 243) project erroneously cites compliance with the SRPP by supporting commuter rail, and waterborne transit simultaneously:

*[“Policy 8.4 Expand use of public transportation, including buses, commuter rail, **waterborne transit**, \[emphasis added\] and alternative transportation modes that provide services for pedestrians, bikers, and the transportation disadvantaged, and increase its role as a major component in the overall regional transportation system.” \(p. 243, 2012 AAF Environmental Assessment\)](#)*

This simultaneous support is contradictory, since the expanded public transportation accommodated by All Aboard Florida and by the Tri-Rail Coastal Link will impede waterborne transit. As one example, the water taxi/water bus owner which now serves the New River foregoes taxi stops upriver of the FEC bridge because of the bridge’s unpredictable interruption of regular service. This clearly impedes local public transportation. A testimonial to this effect by business owner William Walker is presented elsewhere in this response.

Further, the All Aboard Florida project's Draft Environmental Impact Statement does not adequately mitigate its negative effects on marine traffic, nor does it explain its contradiction of the CEDS and the SRPP, as follows:

The Comprehensive Economic Development Strategy (CEDS) 2012-17

CEDS is a regional plan composed and adopted by the South Florida Regional Planning Council which in part is used to posture projects and programs for Federal funding. Such Strategy acknowledges the importance of the marine industries in Ft. Lauderdale with blanket policy statements of support:

*"Support projects that promote and **enhance marine**, tourism, renewable energy, military and agriculture sectors."*
(CEDS, p. 11) [emphasis added]

In justifying this position, the Plan (CEDS, pp. 91-92) states:

"Known as the "Yachting Capital of the World," Greater Fort Lauderdale enjoys a thriving recreational marine industry, having more than 50,000 registered vessels cruising its 300 miles of navigable waterways and Atlantic shores. Approximately 1,500 megayachts (vessels measuring 80 feet or more) visit Broward County each year, and each visit generates an estimated \$400,000 economic impact through boatyard and marina expenditures, purchases and related services from businesses that serve the marine industry. The megayacht related business activity in Broward County accounted for more than 80% of the Region's marine industry's economic activity. It is one of Broward's largest industries and employment sectors, creating more than 134,000 jobs and representing \$3.7 billion in wages and earnings. [old data which is larger today] Marine industry is [sic] also a crucial sector in the Florida Keys (Monroe County). Besides tourism and hospitality sector, the \$60-100 million fishing industry is also vital to the County's economy and culture."

The project as presented in the DEIS negatively impacts the marine and tourism sectors of South Florida's regional economy.

Strategic Regional Policy Plan

The Plan supports the "marine resource economy," so anything detrimental to same such as the obstructive FECR/AAF bridge is contradictory. Because of threat to the regional marine industry and recreational, AAF's DEIS contradicts: (Citations follow):

a. (p. 76, SRPP) *"Protecting our Marine Resource Economy. Our world-renowned waterways provide more than just tourism. The Region is home to mega-yacht builders and outfitters, and the marinas and support services that are located along our coastline provide jobs as well as eye appeal. As the Region continues to grow, demands for residential development along the scenic waterways increase, putting a sometimes-irresistible pressure on marine related industries. **Loss of marine-related businesses, especially those that are water dependent to residential development means a loss of jobs and a change in the character of an economy that has been traditional in South Florida.**"* [emphasis added]

b. Contradicts Policy 17.6 *"Improve economic diversification in South Florida and enhance the Region's assets for international business, tourism, technology, sports, entertainment, and other economic development activities."* (p. 77; see also page 75 regarding international trade)

Ft. Lauderdale's marine and yachting industries are indisputable and vital links to tourism (domestic and international), international business, and is a cornerstone of economic development and economic sustainability.

c. In three sections of the Plan, Goal 2 is restated: *"Increase employment opportunities and support the creation of jobs with better pay and benefits for the Region's workforce."* (pages 3, 22 and 24 of the SRPP)

The AAF project as presented in the DEIS (with inadequate mitigation) will negatively impact the marine industries' ability to create and sustain high paying jobs. Coveted marine industry jobs are markedly higher paid. A recent study for the Port of Ft. Pierce Master Plan shows median annual marine industry salaries at \$50,522, which is nearly 70% higher than commercial/retail/hospitality jobs (\$29,752). Any retraction of the marine industry in Broward is a contradiction to the SRPP.

d. *"Policy 20.14 Encourage coordination among state, regional, and local governments and the private sector in the development of waterway transportation strategies [emphasis added] and polices, consistent with protection of the Region's water resources, which can be integrated into the local comprehensive planning process."* (p. 89, SRPP)

The AAF DEIS contradicts such efforts to develop more waterway transportation strategies.

4.2.1 Inconsistency with local comprehensive plans

The most impacted areas adjacent to the New River, as mapped in Section 3 above, are located in four Broward County municipalities (Davie, Dania Beach, and Plantation) as shown below.



While the EA and DEIS imply consistency with all local comprehensive plans (which set the growth and development policies for these urban areas), the following presents examples of inconsistency in the local comprehensive plans of Ft. Lauderdale and Dania Beach, since these plan sections promoting economic development particularly in the marine industries which would be harmed by the AAF project.

Ft. Lauderdale Comprehensive Plan

Ft. Lauderdale's adopted comprehensive plan policy is to: "Protect existing marine uses as a

resource of the City.”³⁵ And “OBJECTIVE 1.24: MARINE RESOURCES - Continue to protect and enhance marine uses as a recognized resource of the City. ... POLICY 1.24.1: Protect marine resources as **employment generators and economic resources** [emphasis added] of the City by reviewing all projects on waterways to gauge their potential impact on marine uses.”³⁶

Additional policies in the Ft. Lauderdale Comprehensive Plan to be upheld include:

POLICY 1.24.4: Continue to implement the Marine Industry Association’s South Florida Marine Master Plan.³⁷

POLICY 1.3.6: **Preserve and enhance existing marinas** [emphasis added] in the City and standards for future marina siting which address: land use compatibility, availability of upland support services, existing protective status or ownership, hurricane contingency planning, protection of water quality, water depth, environmental disruptions, mitigation actions, availability for public use, economic need and feasibility.³⁸

The City’s Comprehensive plan also makes reference to **multi-modal** enhancement, which (though may not be expressly stated) implies waterway transportation. In particular, Ft. Lauderdale continues to encourage the water bus thusly: “POLICY 1.19.2: Work with BCt to expand existing bus connections to the water-bus, which operates along the Intracoastal Waterway.”³⁹ Also referenced is the integration with **Strategic Intermodal System**, a designation by FDOT for critical transportation links of statewide importance and which portend investment of State money for improvements.

Next, we know the Ft. Lauderdale Comprehensive Plan includes parks and recreation, namely the boat ramp west of the FEC Rail bridge (Cooley’s Landing). The General public using such facility will be constrained in their enjoyment of the waterway; arguably the City’s investment in the boat ramp there will be devalued.

Last, (per planning principles), Ft. Lauderdale has arguably a low ratio of industrial land (6%, or 1252 acres)⁴⁰ for an adequate jobs base. Several annexations in the Marina Mile locale into Ft. Lauderdale since 1989 are noted.⁴¹

Dania Beach Comprehensive Plan

Dania Beach is home to a significant number of the County’s marine businesses:

The Dania Beach Comprehensive Plan has the following quoted citations promoting the marine industries which are contradicted by the All Aboard Florida project and its detrimental marine industry effects [emphases added]:

As noted in Table III, flexibility zones 58, 79, 81, 83 and 84 contain virtually all the vacant land presently occurring within the City of Dania Beach. Flex zone 79 represents primarily the employment center base for the City of Dania Beach with

³⁵ Ft. Lauderdale Comprehensive Plan, Coastal Management Element, Volume 1, p. 5-3.

³⁶ City of Fort Lauderdale Comprehensive Plan (Ordinance C-08-18), Volume I – Future Land Use Element, p. 2-19.

³⁷ City of Fort Lauderdale Comprehensive Plan (Ordinance C-08-18), Volume I – Future Land Use Element, p. 2-20.

³⁸ City of Fort Lauderdale Comprehensive Plan (Ordinance C-08-18), Volume I – Coastal Management Element, p. 5-3.

³⁹ City of Fort Lauderdale Comprehensive Plan (Ordinance C-08-18), Volume I – Transportation Element, p. 9-29.

⁴⁰ Ft. Lauderdale Future Land Use Element, (Ordinance C-08-18), p. 1-9.

⁴¹ Ft. Lauderdale Land Use Element, p. 1-7. Also note that virtually all of the land in project area of concern is located in the AE flood zone, meaning that these areas are “... of special flood hazard with base flood elevations determined.”

many existing industrial and marine industry related facilities currently existing. (Future Land Use Element, vacant inventory, p. 6).

Because of the **growing marine industry within the general Broward County area** and the lack of facilities with ready access to the Intracoastal and Atlantic Ocean, **Dania Beach finds itself as a desirable location for this type of development.** (Coastal Management Element, p. 3).

“Policy 1.62 Marine Industrial Uses. The City shall **encourage additional Marine Industrial development.** In doing so, Marine Industrial development shall be planned, designed, and built to be as fully enclosed in buildings as is reasonably possible and to minimize adverse secondary impacts of noise, outdoor activities, ... (Future Land Use Element, p. 45)

Industrial Use- The purpose of reserving land for industrial uses is to **provide opportunity for the retention and expansion of Dania Beach's economic base activities.** Although other uses are permitted in areas designated industrial, at least eighty (80%) percent of such land area must be devoted to industrial use, such as manufacturing, warehouse distribution, research and development, or other substantial employment based activities. (Future Land Use Element, p. 23)

Section IV. REQUIREMENTS FOR FUTURE LAND USE GOALS, OBJECTIVES AND POLICIES. The goal of the future land use element of the City of Dania Beach will be provision of land uses which will **maximize economic benefits for the community,** be sensitive of the natural environment and minimize any threat to the health, safety and welfare of the community and its residents. (Future Land Use Element, p. 43)

Policy 1.3 **Clean, light, industrial development will be encouraged** to support the tax base for the community and to provide a wide range of employment for residents of the community. (Future Land Use Element, p. 44).

Section 5. Conclusions

The commenting coalition finds the DEIS seriously deficient, and requests the following actions and or mitigation measures:

5.1. Suspend or Delay a Final EIS

A final EIS must not be issued until the multiple serious flaws and/or additional information, multiple analyses, and more meaningful mitigation, as explained throughout this document, is provided and assured.

Moreover, it is unclear what is intended by the FRA with its stated intention (pg. S-5, DEIS) to combine the Final EIS and Record of Decision (ROD) for this project- additional explanation is requested.

5.2. Implement/modify deficient or non-existent bridge rules

Operation of movable bridges falls under the jurisdiction of the USCG and is regulated by Rules and Regulations published in The Code of Federal Regulations under Title 33, "Navigation and Navigable Waters". The New River FECR bridge in question is presently unmanned and opening and closing operation is fully automatic utilizing electronic sensors and cameras located at the bridge site. The opening and closing operations are controlled utilizing the information transmitted from the sensors and cameras at the bridge site to the FECR central control board located at New Smyrna Beach.

On page 4-24, the DEIS states that ["The bridge is currently kept in the open condition and lowered for freight train passage in accordance with USCG Drawbridge Operation Regulations at 33 CFR 111.313\(b\)."](#)

Comment: We are unable to find this reference in the Code of Federal Regulations, it appears as incorrect. The correct reference for such bridges is Code of Federal Regulations Title 33 Section 117.313 New River, which states: "(b) The draw of the Andrews Avenue bridge, mile 2.3 at Fort Lauderdale, shall open on signal; except that, from 7:30 a.m. to 9 a.m. and 4:30 p.m. to 6 p.m., Monday through Friday, except Federal holidays, the draw need not open. The draw need not open for inbound vessels when the draw of the Florida East Coast Railroad bridge, mile 2.5 at Fort Lauderdale is in the closed position for the passage of a train. Public vessels of the United States, tugs with tows, and vessels in distress shall be passed at any time.⁴² The bridge's operating protocol is to be normally left open to navigation and closed only when required by train movements over the bridge.

The mitigation called for in DEIS "Section 7, page 7-3 and in Table 7.2-2 Project Mitigation Measures for Unavoidable Impacts – Operational Period," is inadequate. It calls for a series of measures promoting coordination with local officials, adding a bridge tender, and other steps as follows:

[Table 7.2-2 Project Mitigation Measures for Unavoidable Impacts – Operational Period Navigation](#)

- [Manage train schedules to minimize bridge closures](#)
- [Provide marine industry with bridge closure schedules to facilitate planning by](#)
- [boaters](#)

⁴²

SOURCE:

http://www.ecfr.gov/cgi-bin/text-idx?SID=30c4c31911ca80fbe6dcf9aaa9148271&node=se33.1.117_1313&rgn=div8

- Develop a set schedule for the down times of each bridge location. This schedule
- will include both freight and passenger rail service.
- Provide that schedule of bridge closures in an internet-accessible format to offer the
- public with access to that information, including the boating community and marinas.
- This will be posted on the AAF website and/or the US Coast Guard website.
- Implement a notification sign/signal at each bridge location with warning count
- downs to indicate the times at which the bridge will begin to close and open and how
- long before a train will arrive.
- Develop formal contact with first responders and emergency personnel.
- Develop coordination plans between AAF and local authorities during peak vessel
- travel times on holidays and major public events
- Install a bridge tender at the New River Bridge

While all of these are positive steps, they fall short of what is really needed. The US Coast Guard should initiate the adoption of an operating rules for the New River FECR Bridge No. 341.26, and the single track bascule bridge No. 0717-08 leased by the CSX Corporation (CSX Bridge at I-95).

The USCG recently solicited navigation information via a survey, which will help with the investigation of vessel traffic characteristics. In addition to attending one of the USCG's public information sessions in Ft. Lauderdale, this consulting team coordinated nearly 200 responses to the navigational survey to derive detailed information about the size and type of vessels transiting the river. These data can be made available to the FRA and the USCG to inform its requested rule-writing procedure.

The bridge rules requested for adoption should ensure predictability, staffed full-time tenders at both locations, and special events/peak demand rules of operation so that all the mariners (most notably law enforcement, marine commerce and recreation) can be forewarned and work with reliable schedules for navigation obstruction. The rules should also consider the peak demand patterns and level of service concept as described above in section 2.4. Finally, the rules should also be synchronized with the other high traffic bridges on the New River so they all work most efficiently in concert.

Adopting rules for the bridges should be designed to solve the following problems:

- a. Whenever the bridge is down no train, it violates 33 CFR 117.4, which provides for an automated drawbridge to be kept open to navigation when not in use by a train. These so called "ghost train" closures are documented by our recent vessel traffic and bridge monitoring surveys.
- b. Since Federal law gives deference to waterway and users because of their limited alternatives, and the multiple alternatives available to surface transportation, arguably the waterway must be open at least 31 minutes per hour, and for at least 15 minutes per opening. Any exceedance of this should warrant complaint. In the recent Draft Environmental Impact Statement for the All Aboard Florida project issued by the Federal Railroad Administration, average bridge closure time is in the range of 19 minutes, and in some hours the bridge is closed more than it is open, which points to obstruction according to your rules. As we speak, we are receiving reports from a daily commercial waterway user that the bridge was closed for more than 2.5 hours on December 1, 2014 and after calling FEC bridge operations headquarters, local commercial marine operators received no predictable forecast of opening.

c. 33 CFR 117.55 requires that the bridge owner of each drawbridge post signs upstream and downstream of the bridge notifying waterway users of the operating scheme for the bridge. The current signage provided is inadequate. In addition, additional signage would be prudent to ensure smooth operation. Especially since the bridge is unmanned, signage should be present about where/how to report malfunctions, etc. As in 33 CFR 117.55 (c) for advance notice, signs would state the "... the name, address, and telephone number of the person to be notified."

Another important remedy can be accomplished if rule promulgation and an overhead bridge at the FEC crossing (discussed below) is constructed. By taking these mitigation measures, vessel congestion at the FEC bridge bottleneck will presumably be relieved to protect against collisions with manatees.

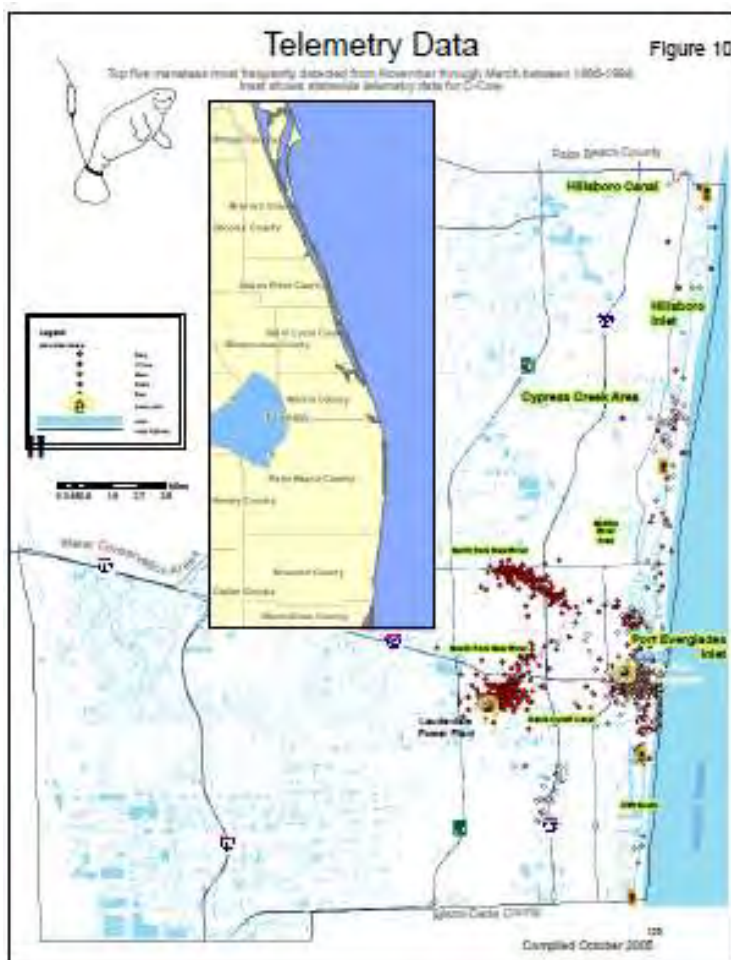
While mitigation measures for the West Indian Manatee are cited in the DEIS beginning on pg. 7-10, these protections

apply only to construction, which is not proposed for the FECR New River bridge. Because an additional threat to manatees will result from the density of vessel traffic caused by bridge closures, the DEIS is deficient in its mitigation measures.

The DEIS analysis should include consideration of the adopted Broward County Manatee Protection Plan, especially because of desirable habitat and transit for manatees provided by the New River (North and South Forks).

Show in the "Telemetry Data" diagram below,⁴³ manatees favor the north and south forks of the New River; the south fork especially because of proximity to the "Lauderdale Power Plant" (as shown on the map) which, in its cooling ponds, provides warm water especially in cooler months which attracts these protected mammals.

In addition, according to scientific data in the Manatee Protection Plan, the higher census of manatees occurs in the high tourist season (November- March),⁴⁴ which coincides with prime tourist and boating seasons.



⁴³ See Figure 10, pg. 125 of Attachment K to the Manatee Protection Plan.

⁴⁴ See pg. 122 of Attachment K to Manatee Protection Plan – Figure 7, available [online] at <http://www.broward.org/Manatees/Pages/ManateeProtection.aspx>

5.3. Alternatives analysis must be expanded to advance the construction of a bridge to mitigate cumulative impact

The engineering challenge is to mitigate negative impacts of unreasonable bridge closure. Under the NEPA (EIS) process, credible engineering comments filed with the Federal government will elicit responses from the applicant. Though AAF dismissed several options such as tunneling, elevated tracking or separated tracks in its EA, those options and others should be advanced again if the project's impact, together with future Coastal Link impacts, is to be mitigated.

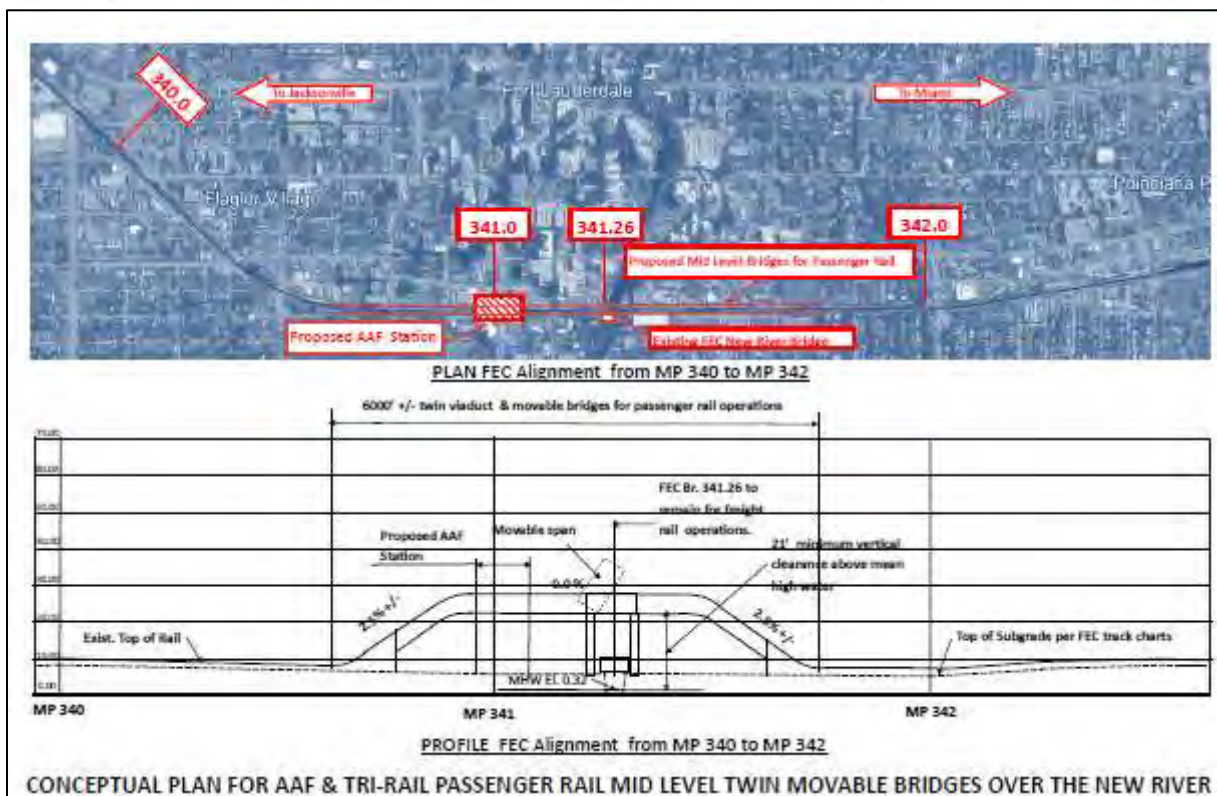
Included in this report are suggested alternates for mid-level movable bridges for combined passenger rail operations for AAF and Tri-Rail Coastal Link and a high level alternate for a fixed and a movable bridge with approach viaducts for combined AAF and Tri-Rail Coastal Link Passenger and commuter rail operations. The suggested alternates have examined the Tri-Rail Coastal Link Environmental assessment and found that the proposal for a two track mid-level movable bridge adjacent to the existing FEC New River Bridge is not feasible within the existing ROW. The width of the framing for the existing bridge which is centered on the FEC ROW leaves insufficient room on either side to construct a new double track bridge. Our investigation concludes that it is possible to build two separate movable mid-level bridges one on each side of the existing bridge. This needs to be evaluated and included in both the AAF DEIS and the forthcoming Tri-Rail Coastal Link EA and EIS.

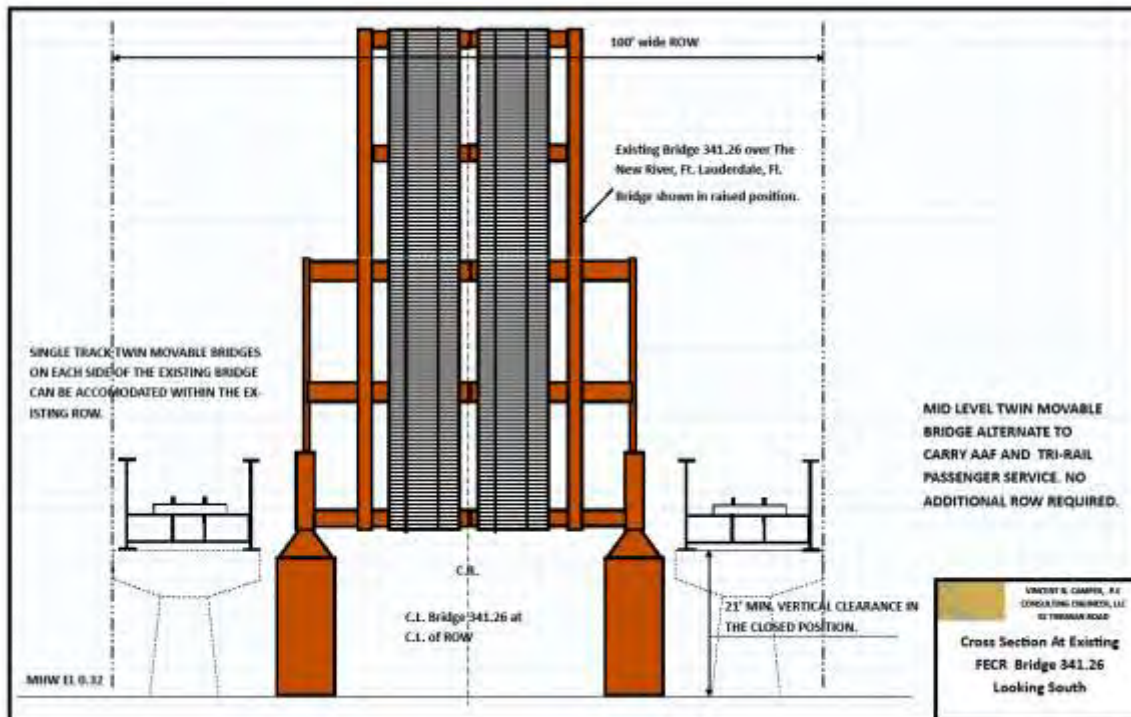
The alternates investigated and recommended by this report are:

- Mid-Level Movable Bridges (21 foot vertical clearance above MHW)
- Fixed High Level Bridge (which could be 55 foot vertical clearance above MHW, or preferably higher)
- Fixed High Level Bridge with a movable span permitting tall-masted vessels to pass thru without having to step their masts.

5.3.1 Mid-Level Movable Bridge Alternate

A mid-Level movable bridge carrying all proposed AAF passenger rail and Tri-Rail Coastal Link commuter traffic has the capability of reducing the number of openings required for a low level bridge such as the existing FEC New River Bridge. The Existing bridge is situated such that the vertical clearance is 4' at MHW. This permits only rowboats, canoes, kayaks and small motor boats to pass without requiring an opening. A mid-level bridge or set of bridges would allow passage of vessels having a height of 21 feet or less at MHW to pass without requiring an opening. , and is consistent with the nearby downtown moveable road bridges. The other distinct advantage is that the existing bridge FEC bridge need only carry freight operations and could conceivably be left in the open position for longer periods.



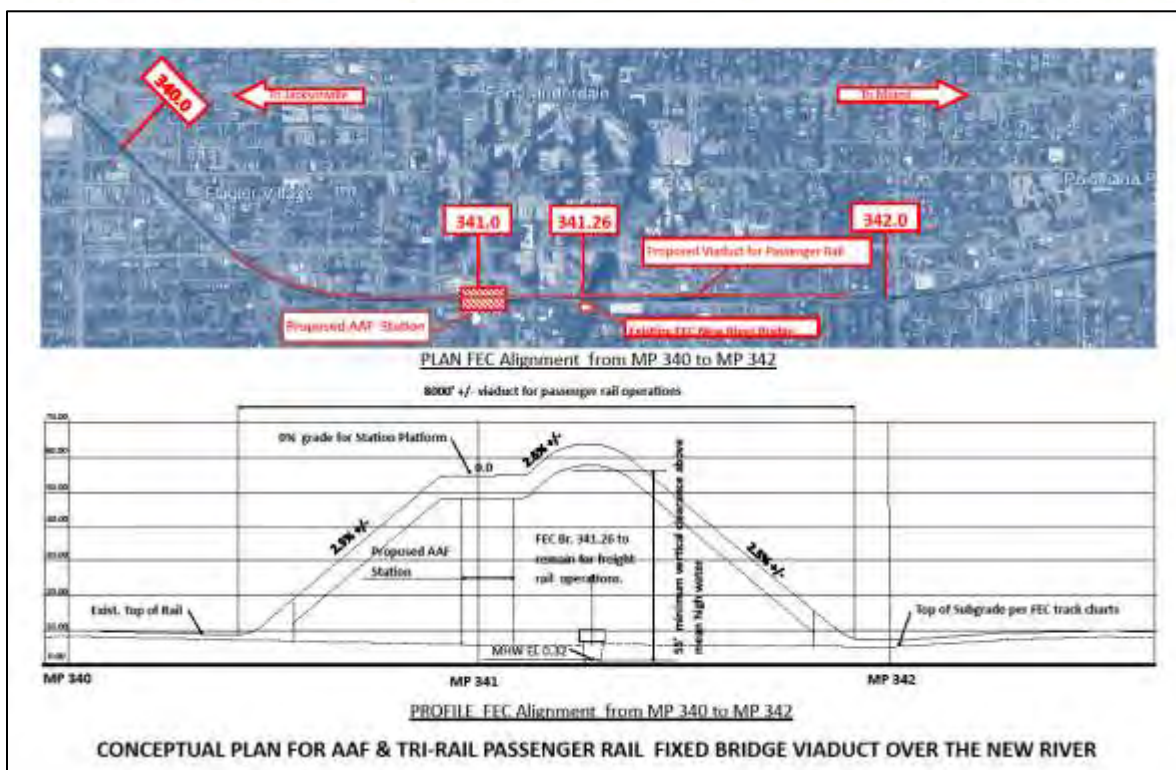


5.3.2. High Level Fixed Bridge Alternate

The High level fixed bridge alternate (55 foot vertical clearance above MHW, or higher) would carry all proposed AAF passenger rail and Tri-Rail Coastal Link commuter traffic. This alternate while it would greatly reduce the number of required bridge openings however limits passage to only those vessels that require less than high level vertical clearance. Large sailing vessels with tall masts would not be able to pass without stepping their masts; many super yachts exceeding 150 feet in length and large superstructures also would be constrained by a 55 vertical clearance. This alternate was included in our evaluation however it is not recommended as many vessels requiring higher air draft lying west of the FEC New River Bridge would no longer be able to pass through this part of the channel without having to step their mast or remove parts of the superstructure. If the process to step the mast were required perhaps only one time during the boating season this would not present a major hardship. However through the study of the large vessels berthed at locations west of the existing FEC Bridge which frequently navigate this part of the river to the Intracoastal Waterway and the Atlantic Ocean, it is concluded that this is counterproductive to a healthy marine industry. Likewise these vessels return to their home berth on a frequent basis. It is for this reason that we do not recommend this alternate, however it is included for the sake of discussion and analysis.



CONCEPTUAL RENDERING OF HIGH LEVEL FIXED PASSENGER RAIL VIADUCT OVER THE NEW RIVER

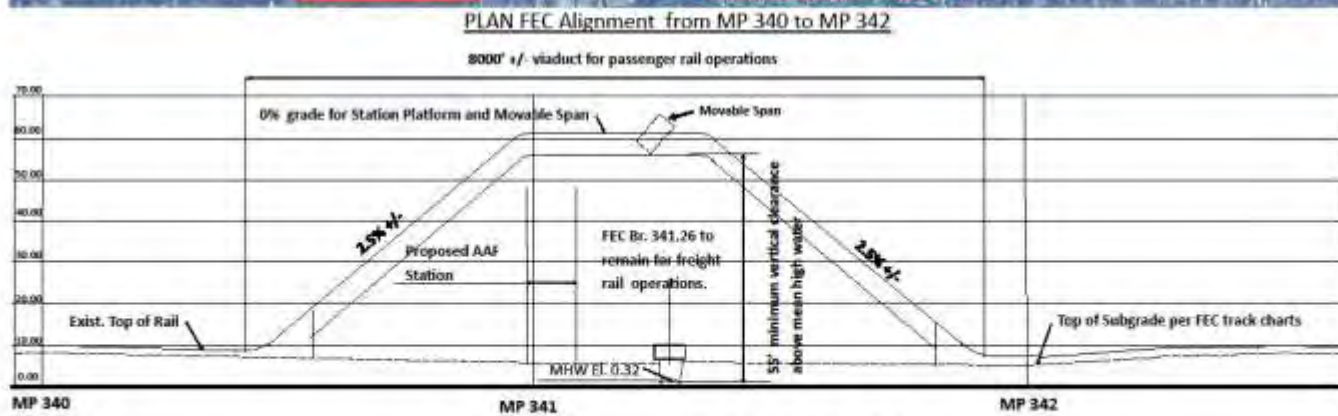
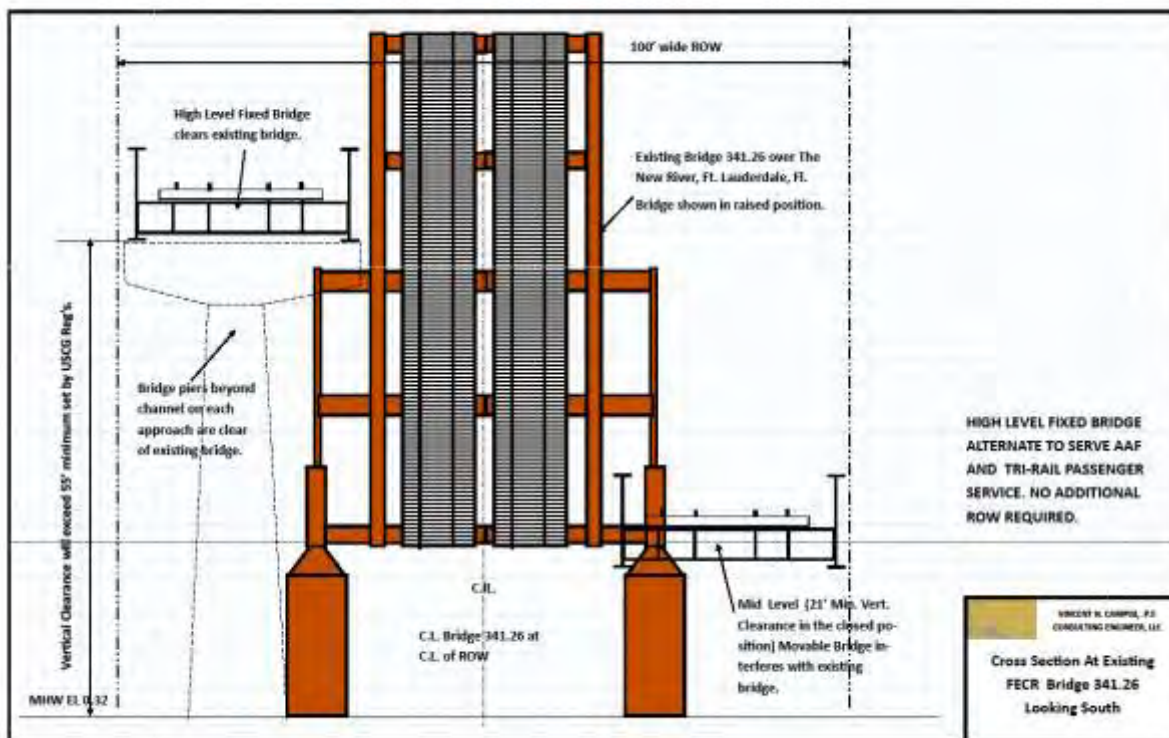


5.3.3. High Level Fixed Bridge with a Movable Span Alternate

This alternate is the best alternate that provides the least impact on navigation and would serve FEC's freight operation's needs on the existing FEC movable bridge and AAF's and Tri-Rail Coastal Link's passenger and commuter rail needs on the high level movable bridge. While Bridge openings would be required for most vessels at the existing FEC bridge the number of closures would be limited only to the freight operations as passenger rail would operate over the high level bridge. The number of openings at the high level bridge also are less in number than for the Mid-Level movable bridge alternate as the 55 feet of clearance provided in the closed position allows most vessels except the tall masted vessels to pass without an opening thereby maximizing use of the bridge in the closed position for rail operations. This alternate is therefore considered to be the recommended alternate to accommodate future rail traffic and have the least impact on navigation.



CONCEPTUAL RENDERING OF HIGH LEVEL MOVABLE PASSENGER RAIL BRIDGE AND VIADUCT OVER THE NEW RIVER



CONCEPTUAL PLAN FOR AAF & TRI RAIL PASSENGER HIGH LEVEL VIADUCT WITH MOVABLE SPAN OVER THE NEW RIVER

Page 3-1 Alternatives

3 Alternatives

The Council on Environmental Quality (CEQ) regulations that implement the National Environmental Policy Act of 1969 (NEPA) state that the alternatives section is the heart of an Environmental Impact Statement (EIS) (40 CFR § 1502.14). Those regulations and accompanying guidance, Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations (CEQ 1981), require a federal decision-maker, in this case the Federal Railroad Administration (FRA), to:

- Develop and describe the range of alternatives capable of achieving the purpose and need (1505.1(e)), including alternatives not within the jurisdiction of the lead agency and the No-Action Alternative (1502.14(d)); and
- Rigorously explore and objectively evaluate these alternatives, and provide reasons why the lead agency eliminated certain alternatives from further study (1502.14(a)).

This chapter describes the process through which the Proposed Action (Build) Alternatives and the No-Action Alternative for Phase II of the Orlando-Miami Passenger Rail Project were identified and evaluated, and provides a detailed description of the alternatives evaluated in this Draft Environmental Impact Statement (DEIS). The environmental impacts of each of the alternatives that were carried forward from this screening process are evaluated in Chapter 5, Environmental Consequences, of this DEIS.

Comment: The DEIS is not in compliance with this directive to include all of the alternatives to achieve the purpose and need of the project when significant issues (proposed freight increase and Tri-Rail Coastal Link passenger operations) concerning rail operations and impacts on navigation have not been addressed in the DEIS. In other words, all prior alternatives (such as a tunnel, and mid-level and high-level bridges) should have been analyzed in the DEIS instead of being dismissed.

Alt-bridges (2)

(Page 3-2, DEIS) 3.2 Alternatives Identification and Screening

This section describes the alternatives that were identified and developed for the Project and the criteria used to evaluate each alternative. The analysis also included a preliminary comparison of potential impacts to key environmental resources. Alternatives were identified and screened in an iterative, three level process:

- Level 1 identified and screened overall routes connecting Orlando with the previously reviewed West Palm Beach to Miami service, and identified a preferred route alternative.
- Level 2 was more fine-grained and evaluated segment alternatives within the preferred route.
- Level 3 evaluated alternatives within one segment (the Orlando-Orange County Expressway Authority (OOCEA)-controlled segment of the East-West Corridor) of the preferred route.

Figure 3.2-1 shows the screening process graphically. In order to identify and consider alternatives that will satisfy the Project's purpose, including its feasibility as a private enterprise, AAF developed evaluation criteria, including six critical determining factors (Critical Determining Factors) that must be met in order for AAF to be able to proceed with the Project. These screening criteria recognize that AAF is a private enterprise that cannot rely on government operating subsidies and that does not have the authority to acquire property by eminent domain (condemnation). To be feasible as a private enterprise, AAF must be able to:

- Provide reliable and convenient intercity passenger rail transportation connecting Orlando and Miami, Florida, by extending previously reviewed passenger rail service between West Palm Beach and Miami;
- Gain access to the lands on which alternatives are proposed through viable acquisitions, leases, licenses, permits, or other arrangements that do not preclude the feasibility of the Project as a private enterprise;
- Deliver a travel time that will meet the ridership targets necessary for a sustainable commercial initiative;
- Commence construction in the near term in order to control costs;
- Remain in close proximity to existing or planned transportation corridors in order to limit land acquisitions and related impacts; and
- Limit cost of development, including cost of land acquisitions, access, construction, and environmental mitigation.

AAF identified the alternatives at each level, and developed and applied screening criteria to determine whether each alternative was reasonable and capable of being implemented in accordance with these overall objectives. FRA has independently evaluated AAF's analysis, validated assumptions, and has prepared the following summary of the alternatives evaluation process.

Comment: In order to satisfy the above criteria the **full impact of all rail operations must be evaluated in the alternatives.** The omission of any future rail operations will impact the ability of the alternative selection to satisfy the project purpose, it will also affect projected travel times and prohibits the ability to perform a complete evaluation as to the necessity of providing additional ROW and infrastructure to support the project. The projected costs to implement the project will not be accurate without the consideration of those costs for future freight and passenger operations by AAF and the Tri-Rail Coastal Link. Impacts on the environment and on Navigation in particular will not be accurately identified without inclusion of all of the possible future rail operations on the FEC corridor.

5.4. Divert/Rationalize Freight Rail Traffic, including an expanded, multi-modal US 27 Corridor.

The FRA should require full consideration of all future freight traffic on an integrated system throughout Florida, and equalize the traffic on rail lines with consideration for urban congestion versus rural traffic capacity. Also referred to as "freight rationalization," and advanced in 2014 by the Treasure Coast Regional Planning Council (represented on the Coastal Link Steering Committee) this means of analysis should be considered in the context of the cumulative impact of future rail traffic on South Florida rail corridors. In addition, consideration of an improved multi-modal US 27 corridor (with rail connection to Miami-Dade County) should be included in that planning and modeling.

The US 27 Corridor has been evaluated by a series of studies to, in part, vastly improve its capacity to move freight traffic through a more integrated state network, including expanded rail. "The US Department of Transportation recently forecasted freight railroad demands are expected to increase to 88 %by 2035 from 2002 levels.



This forecast stresses the urgent need for adequate investment in rail capacity in the year ahead to meet the anticipated growth.”⁴⁵

“As a major north-south controlled access roadway with connections throughout Florida and into other states, US 27 plays an important role in regional mobility and the state economy. The US 27 Corridor under evaluation includes ten counties throughout southeast and central Florida. The corridor spans more than 300 miles, beginning at its southern terminus in Miami-Dade County and proceeding through the central part of the state to I-75 in Marion County.”⁴⁶

Looking to central Florida, the “Florida Future Corridors Study” “. . . will explore alternatives for moving people and freight from Southeast Florida through the Heartland to Central Florida and locations to the north. A focus will be the



potential for increased freight flows from the Southeast Florida seaports, connecting to several planned and proposed intermodal logistics centers and other freight/distribution sites in the Heartland. FDOT is studying the existing U.S. 27 corridor from Miami-Dade to Marion Counties. The Central Florida Regional Planning Council is leading the Heartland 2060 regional visioning process. These two studies will guide decisions about the future of U.S. 27 and other corridors in this region.”⁴⁷

In addition to these studies, FDOT in 2012 completed the US 27 Multimodal Planning and Conceptual Engineering (PACE) Study⁴⁸ after the Phase 1 rail feasibility study (March 2010) “... to investigate the technical and economic feasibility of developing the US 27 Corridor to accommodate multimodal options, including rail and highway modes.”⁴⁹

Conclusions of the study include the feasibility of diverting a significant amount of freight from rail to rail, and truck to rail. Approximately 75 miles of rail would be added to the corridor to link South Florida with Central Florida.

“The multimodal traffic alternative rail demand estimates 15-22 trains per day may use the new US 27 rail corridor. This represents approximately 50-75% of existing rail service on the east coast rail corridor. Rail service in the corridor could also result in 175 fewer daily trucks on US 27.”⁵⁰

Stakeholders interviewed for the study include the Florida East Coast Railway (FEC), and the South Florida Regional Planning Council. The cost estimate for the “Multimodal alternative” is \$1.2 B, which includes “... 75 track miles of rail,

⁴⁵ Florida Department of Transportation, US 27 Transportation Alternatives Study, January 2013, page 24.

⁴⁶ Florida Department of Transportation, US 27 Transportation Alternatives Study, January 2013, page 3.

⁴⁷ See: http://www.flfuturecorridors.org/southeast_about.htm

⁴⁸ Florida Department of Transportation, FM Number 428662-1-12-01, December 2012.

⁴⁹ Florida Department of Transportation, US 27 Transportation Alternatives Study, January 2013, page 24.

⁵⁰ FDOT US27 PACE Study, Volume 1, pp. 1-3.

10 rail bridges, 382 mainline lane miles of roadway (widening and reconstruction), 23 bridges, 20 intersection improvements, two (2) interchanges, and three (3) turnarounds.”⁵¹

The US 27 project offers new connectivity to the Glades Communities. Designated as “Rural Areas of Economic Concern” by the State of Florida, this area has expressed support for economic development opportunities such as the manufacturing, warehousing, distribution center and logistics hub that could become the new economic driver in the area.

In addition to substantial expenditure by the State of Florida to analyze the feasibility of the US 27 Corridor connection via rail to Miami Dade County through the PACE study, the Palm Beach MPO has endorsed the idea. The Palm Beach MPO Board voted to endorse the 2040 Desires Plan on May 15, 2014 and then voted to adopt the 2040 Long Range Transportation Plan on October 16, 2014. Both of those documents identify a desire to implement rail on the US 27 corridor between Miami and South Bay.⁵²

The DEIS should require freight rationalization for the State of Florida to accomplish diversion of freight rail traffic away from downtown urban cores in SE Florida. Therefore, the next phase of the US 27 corridor engineering design and construction should be completed as soon as possible. Freight rail traffic on the FEC and CSX lines could therefore be minimized so that obstructive bridge closures which are unreasonably obstructive to marine traffic would also be minimized.

5.5. Provide an “adjudication matrix” to the public

As explained in Section 1 of this document, the administration of NEPA for this proposed project has left “something to be desired” for public trust in the process, and full consideration of public input.

Through the public, transparent, and participatory process intended by the US Congress through NEPA, we request a full vetting of all comments received by the FRA, including disclosure the public as to the responses to each comment received. Referred to as an adjudication matrix by some agencies, this document would provide each comments followed by analysis or discussion, validity or agreement/disagreement, and a recommended action.

⁵¹ FDOT US27 PACE Study, Volume 1, pp. 1-3.

⁵² See pages 18-19 of the adopted Long Range Transportation Plan, available November 26, 2014 [online] http://www.palmbeachmpo.org/2040LRTP/2040_LRTP.pdf.

Sources Consulted

Center for Urban & Environmental Solutions, Florida Atlantic University. An Economic Analysis of the Miami River Marine Industry, prepared for the Miami River Commission, April 2008. Submitted by William B. Stronge, Ph.D., Senior Fellow and Professor Emeritus, Department of Economics, Primary Author. Available [online] <http://www.miamirivercommission.org/PDF/EconomicAnalysisoftheMiami%20River42808.pdf>, March 31, 2014.

Florida Inland Navigation District, "Boating economic impact/ value by Congressional District."
Florida Inland Navigation District, economic impact of the waterways by county. Broward, Palm Beach, Dade Counties. Available [online] <http://www.aicw.org/emails.jhtml;jsessionid=CF603E15DD6B4BA0FCC5177F7589114F>, March 2014.

Hanley, Caitlan, Brian Clancy and Thomas Guardino (Logistics Capital and Strategy), "The Case for Intermodal in South Florida," Available [online] <http://www.logcapstrat.com/pdfs/Case%20for%20Intermodal%20in%20South%20Florida.pdf> March 29, 2014. Prepared for FEC Railway. Date of publication unknown.

Improving the Quality of Environmental Documents/ A Report of the Joint AASHTO/ACEC Committee in Cooperation with the Federal Highway Administration. Available [online] http://environment.transportation.org/pdf/nepa_process/QUALITY_NEPA_DOCS.pdf October 30, 2014.

Iowa Department of Transportation- experience with bridge alteration, funding from American Recovery and Reinvestment Act. See <http://www.iowadot.gov/recovery/alteration-of-bridges.htm>.

Marine Industries Association of South Florida Master Plan, Marine Industries Association of South Florida, Urban Harbors Institute; Florida Atlantic University Joint Center for Urban and Environmental Solutions, 2001.

South Florida East Coast Corridor Study (FEC) Alternatives Analysis, Supplied as Appendix D to the AAF Environmental Assessment. Prepared by Gannett-Fleming for the Florida Department of Transportation, F.M. No. 417031-1-22-01, Contract: C8F66, June 2010.

US Coast Guard Bridge Program. "Reasonable Needs of Navigation White Paper." Version 1.1, October 5, 2012.
US Coast Guard Office of Bridge Programs. See <http://uscg.mil/hq/cg5/cg5411/default.asp>.

Williamson, Michael (Cambridge Systematics, Inc.) & Stewart Robertson, (Kimley Horn and Associates, Inc.) 2040 Southeast Florida Regional Freight Plan – Project Update" to Miami-Dade MPO, February 26, 2014. [Available March 27, 2014] http://www.miamidade.gov/mpo/downloads/MPO_ftac_presentation_20140226_cargo2040_project_update.pdf

Appendix A – Review and Comments References

All Aboard Florida Announcement March 22, 2012 regarding Proposed Passenger Rail Service connecting South Florida to Orlando.

All Aboard Florida Environmental Assessment, October 31, 2012. "All Aboard Florida Passenger Rail Project from West Palm Beach to Miami" submitted to the Federal Railroad Administration. EA Document: <http://www.fra.dot.gov/eLib/Details/L04278>

Catherine Dobbs, Transportation Industry Analyst, Office of Railroad Policy and Development, Federal Railroad Administration, 1200 New Jersey Avenue, SE, Washington, DC 20590, catherine.dobbs@dot.gov.

Commitment 2040. Long Range Transportation Plan, Broward Metropolitan Planning Organization. Available [online] <http://www.browardmpo.org/commitment-2040/plan-development>

FECI Documents concerning the proposed Fort Lauderdale Passenger Station to be located adjacent to the FECR corridor at NW 2nd Avenue between Broward Boulevard and NW 4th Street.

FECR Track Charts at FECR Bridge No. 341.26 over the New River, Ft. Lauderdale, Florida, FECR Bridge No. 260.93 over the St. Lucie River, Stuart Florida and FECR Bridge No. 282.58 over the Loxahatchee River, Jupiter, Florida.

Federal Railroad Administration announcement regarding the preparation of Environmental Impact Statement for the All Aboard Florida, Miami-Orlando Passenger Rail Project. April 15, 2013. <https://www.federalregister.gov/articles/2013/04/15/2013-08745/environmental-impact-statement-for-the-all-aboard-florida-miami-orlando-passenger-rail-project>

Federal Railroad Administration Docket Folder: <http://www.regulations.gov/#!docketDetail;D=FRA-2009-0031>

Federal Railway Administration Finding of No Significant Impact Dated January 2013 for All Aboard Florida Passenger Rail Project from West Palm Beach to Miami, Florida.

Greiner Engineering Paper describing the 1976 Replacement of FECR Bridge No. 341.26 over the New River, Ft. Lauderdale, Florida. http://www.vhb.com/article.asp?pagename=PR_Sadhajun27. EIS assistance from VHB.

Presentation to the 16th Annual Transportation & Infrastructure Summit Conference held in Irving Texas by James Hertwig, President and CEO FECR, August 7, 2013.

Presentation to The Florida Senate, Committee Meeting Expanded Agenda, Commerce and Tourism, Senator Detert, Chair and Senator Abruzzo, Vice Chair. October 7, 2013, Rusty Roberts, Vice President – Corporate Development, FECI.

Tri-Rail Coastal Link Project Steering Committee: <http://sfecstudy.com/docs/PSC%2010sep2013%20v6.pdf>.

South Florida East Coast Corridor Transit Analysis Study managed by FDOT. See, e.g.,

<http://www.sfecstudy.com/study-process>; <http://www.sfecstudy.com/documents.html>;

http://www.sfecstudy.com/draft_docs/Final%20Detailed%20Definition%20of%20Alternative%20Analysis%20Report.pdf

Coastal Link Project: <http://www.tri-railcoastallink.com/>, and (from Federal Government NEPA site) <http://www.tri-railcoastallinkstudy.com/>.

2009 South Florida East Coast Corridor Transit Analysis Study: Phase 2 Navigable Waterway Analysis and
Appendix 4: Capital Cost Methodology and Results
Appendix 5: Operations and Maintenance Cost Methodology and Results

Florida Department of Transportation District Four, US 27 Multimodal Planning and Conceptual Engineering (PACE) Study. Prepared by TYLIN International, Final Report, Volumes 1-3. FM Number 428662-1-12-01, December 2012.

Florida Department of Transportation, US 27 Transportation Alternatives Study, January 2013. Prepared by CDM Smith. 48 pages.

South Florida Regional Transportation Planning: SFRTA Moving Our Region Forward. FY 2014-2023 A Transit Development Plan for SFRTA. Final Report, August 2013. See also 2024 update. Technical Memorandum.

Tri Rail Preliminary Project Development Report, April 2014. Final FM No. 41703132201. Including: US Coast Guard Bridge Program, "Reasonable Needs of Navigation White Paper," October 5, 2012, Version 1.1.

APPENDICES

Appendix A. DEIS Review and Comments by Vincent N. Campisi, PE, Consulting Engineer, LLC

A separate document is attached.

Appendix B. Signors comprising the coalition responding to the DEIS

The Coalition submitting this DEIS response to the Federal Railroad Administration is comprised of concerned Ft. Lauderdale Area Property Owners (including some homeowners associations), Boaters, and Marine Industry Businesses. We have on file the signature forms that include address, signature, organization, address, e mail and or phone number of each of the following signors:

“The undersigned individuals and organizations comprise a coalition of concerned and/or affected Ft. Lauderdale area property owners, boaters, or businesses engaged in a wide array of marine activities and industries. By resolution or signature, these parties support the “Objections and Comments to the All Aboard Draft Environmental Impact Statement and Section 4(f) Evaluation” which are attached hereto. Each of the parties below respectfully requests a response to those objections and comments from the Federal Railroad Administration.”

Organization/Affiliation	Name
Boater	Alex Hirst
Home Owner	Alexander Reyes
Cable marine, Inc.	Anthony Laporte
Marine Servicing	Anthony Loyiza
Masters Marine, Inc.	Anthony Pignetti
Marine Servicing	Brandon Stephens
The Fiberglass Shop	Captain Herb Rassing
Cable Narine, Inc	George Cable
Masters Marine Inc.	Christopher Poole
Marina Employee	Clifton Smisky
Yacht Store	Daisy Ortiz Lenit
Happy Diesel ,Inc.	David G. Lenit
Marina Mile Yachting Center	David Hole
Boater	Jordan Fuss
Marine Servicing	David Kesley
Boater	Derrick Collins
Marine Servicing	Earl Heeracal
Marine Industry	Eliesen Salus
Home Owner	Franklin Geiger
Marine Servicing	Frederick Jones
Lauderdale Isles Civic Improvement Assoc.	Dirk Lowry
Cable Marine, Inc	Gary M. Sturm
Boater	George Cable
C&S Properties, Inc	George Cable
D.S. Hull/Boat Owners Warehouse, Inc	George Cable
Marine Servicing	Jackson Ruiz
Masters Marine Inc.	James Peacock
Marine Servicing	Jesse Simisky
Citrus Isles Associates	John L Dotto
Home Owner	John Whiteker
Boater	Jorge Correa
Home Owner	Justin Bachana
Boater	Justin Roos

Home Owner	Kasey Collins
The Fiberglass Shop	Charles Smoot
Home Owner	Kathryn Boshell
Cable Marine, Inc	Kenneth Cigalotti
Home Owner	Kevin Berry
Cable marine, Inc	Kevin Szlosek
Marine Servicing	Mark Cirigliano
Boater	Mark Enewkirk
River Oaks Civic Assoc. Member/Citrus Isles	Mary L. Sessions
Home Owner	Mary Martinez
Boater	Michael J. Ennis
Masters Marine Inc.	Michael Murphy
Marine Servicing	Wayne McElroy
Universal Marine Center Mega Yacht	Michael Y. Aouate
Home Owner	Nicholas Zelinka
Yacht Style Refinishing Inc.	Richard Stephens
Home Owner	Robert Kirchoff
Marine Servicing	Ronald Ruiz
ROCA	Sara L. Dotto
Marine Servicing	Scott School (Painter)
Westport Yachts	Mark Masciarotte
BOW World Wide Yacht Supply	Steve Baum
Universal Marine Center	
Marina Bay	John Connor
Pier 17 Investments 2014, LLC	Nathan Cox
Marine Servicing	Thomas P. Borden

U.S. Department
of Homeland Security

United States
Coast Guard



Commander
Seventh Coast Guard District

909 SE 1st Ave Rm 432
Miami, FL 33131-3059
Staff Symbol: (dcb)
Phone: (305) 415-6000
Fax: (305) 415-6763
Email: Evelyn.Smart@uscg.mil

16591/AAF
02 June 2014

Charlene Stroehlen PE
Senior Associate Engineer
AMEC - Environment & Infrastructure
404 SW 140th Terrace
Newberry, FL 32669

Dear Ms. Stroehlen:

In March 2014, the U.S. Coast Guard received a draft copy of the Navigation Discipline Report (NDR) for the AAF Passenger Rail Project from Orlando to Miami, Florida. The Coast Guard reviewed and provided comments on the NDR on April 4, 2014. Since then a revised advance copy of the NDR was given to the Coast Guard for a second review on May 8, 2014.

The Coast Guard agrees the revised NDR is more comprehensive than the first study and provides useful data on current use of three major waterways with drawbridges along the AAF corridor (New River in Broward County; Loxahatchee River in Palm Beach County, and the St. Lucie River in Martin County). In Sections 2.6.2 and 6.0, the NDR addresses evaluation criteria and a criteria matrix for assessing the No-Build Alternative and the Proposed Action's impact on identified navigation needs. While information on the impacts on navigation received from the applicant will be analyzed, the Coast Guard will make the ultimate determination as to whether or not the impacts on navigation are unreasonable.

The Coast Guard, in making a permit decision, must preserve the public right of navigation while maintaining a reasonable balance between competing land and waterborne transportation needs. We do so by taking a balanced approach to total transportation systems, both land and water modes, in all bridge actions. At this time, we are unable to fully assess the potential impacts and will require more information on the following issues prior to making a permit decision:

1. The impacts on navigation from the natural flow of these waterways, including currents and water velocity fluctuations, while vessels await openings at these drawbridges, remain unknown;
2. The affected drawbridges set the most restrictive vertical clearance on these waterways, and a large percentage of vessels cannot transit the bridges in the closed position;
3. Any increase in the existing closure periods at the drawbridges spanning these waterways may not provide for the reasonable needs of navigation;
4. The methodology used in the NDR may be sufficient to assess the waterways' trends and uses for purposes of making a navigation impact determination. However, the Coast

Guard is unfamiliar with the model and needs to evaluate the assumptions and data therein.

Accordingly, additional study will be required to determine the reasonable needs of navigation on these three waterways in the vicinity of the drawbridges. To advance the NEPA process, we support including the NDR as an attachment to the DEIS as it informs the choice of alternatives for analysis. The DEIS should note that the Coast Guard still must make a determination as to the prospective impacts on navigation in the vicinity of the three drawbridges spanning the New River in Broward County, Loxahatchee River in Palm Beach County, and the St. Lucie River in Martin County and that the DEIS will be used to inform that Coast Guard determination.

If the Coast Guard determines the proposed AAF operating schedule unreasonably impacts navigation on the New River, Loxahatchee River and St. Lucie rivers, it may be necessary for the Coast Guard to amend existing bridge regulations and require modifications to those bridge operations so that navigation is not unreasonably burdened.

(Miss) Evelyn Smart will continue to be the contact for your project.

Sincerely,



Barry L. Dragan
Director, District Bridge Program
Seventh Coast Guard District
By direction

Copy: Commander, Coast Guard Sector Miami (s, sp)
Commandant (CG-BRO), U.S. Coast Guard
Jose Gonzalez, FEC/AAF
Alex Gonzalez, FEC/AAF
Mr. Chris Bonanti, FEC/AAF

November 25, 2014

Mr. John Winkle
Federal Railroad Administration
Room W38-311,
1200 New Jersey Avenue, SE,
Washington, DC 20590.
Submitted via Email: AAF_comments@vhb.com

Re: All Aboard Florida

Dear Ms. Winkle,

The National Marine Manufacturers Association (NMMA) appreciates the opportunity to provide comments on the Federal Railroad Administration's (FRA's) draft environmental impact statement (EIS) on Phase II of the All Aboard Florida project. As explained below, NMMA is concerned that unless mitigation measures are adopted, the All Aboard Florida project will negatively impact South Florida's marine industry by unreasonably obstructing vessel traffic.

About NMMA

NMMA is the nation's largest recreational marine industry association. Our 1,600 members include boat builders, engine manufacturers, and marine accessory manufacturers. NMMA members collectively produce more than 80 percent of all recreational marine products made in the United States. Recreational boating is a popular American pastime with almost 88 million boaters nationwide and over 12 million registered boats.

The All Aboard Florida Project must provide for the Reasonable Needs of Navigation

The draft EIS addresses the proposed operation of three existing, low-level bridges in South Florida: the New River Bridge in Fort Lauderdale, the Loxahatchee River Bridge in Jupiter, and the St. Lucie River Bridge in Stuart. The proposed operation of these bridges has the potential to negatively impact recreational boating and marine commerce in South Florida and may create a conflict with federal navigational requirements. The Rivers and Harbors Act makes clear that "[n]o bridge shall at any time unreasonably obstruct the free navigation of any navigable waterway of the United States." 33 U.S.C. § 512. The U.S. Coast Guard regulations incorporate this prohibition, recognizing that "[a]ll bridges are obstructions to navigation and are tolerated only as long as they serve the needs of land transportation while allowing for the reasonable needs of navigation." 33 C.F.R. § 116.01 (emphasis added).

Executive Committee

Chairman
Mark Schwabero
Mercury Marine

Vice Chairman
Joan Maxwell
Regulator Marine, Inc.

Treasurer
Bill Watters
Syntec Industries

Secretary
John Dorton
Bryant Boats

BMD Representative
Scott Deal
Maverick Boat Company

EMD Representative
Marcia Kull
Volvo Penta of the Americas

AMD Representative
Michele Goldsmith
Actuant Electrical/Marine

Member at Large
Jason Pajonk-Taylor
Taylor Made Products

President
Thomas J. Dammrich
NMMA

As currently designed, the three low-level bridges must be open to enable safe passage for the overwhelming majority of vessels. The proposed additional train crossings mean the low-level bridges will be down more often, increasing the time that maritime traffic will be unable to pass. Due to the increase in trains, the average total channel closure time per day during the week is estimated to increase from 5.8 hours to 8.6. On the weekends, the average daily closure time is estimated to double, growing from 3.6 hours to 7.2 hours. These significant increases in closures will constrain the flow of maritime traffic on three major South Florida waterways.

The Proposed Mitigation Measures should be Supplemented and Adopted

The draft EIS Navigation Discipline Report includes several mitigation measures designed to minimize the impact of the channel closures on maritime traffic. These measures are:

- Addition of a tender at the New River Bridge to allow better communication with commercial vessels.
- Develop a schedule for the down times of the bridge for passenger rail service.
- Provide public access to the bridge closure schedules in an internet-accessible format. Schedules for each bridge may be posted on the AAF website and/or the USCG website. This will allow the boating community to plan their trips to avoid wait times and related costs associated with the Proposed Action.
- Implement a notification sign/signal/horn at each bridge location with count downs to indicate the times at which the bridge will begin to close and open.
- Develop formal contact with first responders and emergency personnel.
- Develop coordination plans between AAF and local authorities during peak vessel travel times on holidays and major public events.
- Develop coordination plans between AAF and the USCG to promote communication with the commercial and recreational boating communities.

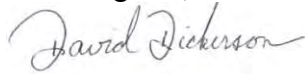
NMMA believes that these measures represent commonsense improvements, and recommends their incorporation in the final EIS. A few mitigation measures, however, are notably missing and should be added. First, the EIS should explicitly require that train schedules be managed to minimize the impact of bridge closures on vessel traffic. Second, the EIS should include protocols for promptly notifying the public and commercial users in the event of unscheduled bridge closures (including for bridge operational failures). Third, the EIS should address contingency plans in the event a bridge fails in a manner that blocks vessel traffic, so the problem can be timely remedied.

Lastly, NMMA requests that the improvements suggested by local boaters and marine industry representatives be duly considered. No one knows these waters better than the South Florida boating community. They understand the historic recreational and commercial uses of these rivers as well as emerging vessel traffic trends. The local boating community can provide

critical insight into whether the project will unreasonably interfere with navigation as well as whether different mitigation measures are likely to be effective.

Recreational boating is a way of life in South Florida, and the marine industry is vital driver of the region's economy. NMMA appreciates your consideration of the foregoing comments, the incorporation of which will limit the potential negative impact of the All Aboard Florida project on local recreational and commercial boating.

Kind Regards,

A handwritten signature in cursive script that reads "David Dickerson".

David Dickerson
National Marine Manufacturers Association



Indian River County Historical Society, Inc.



P.O. Box 2192, VERO BEACH, FLORIDA 32961-2192
TEL: (772) 778-3435 E-MAIL: indianriverhisto@bellsouth.net

November 29, 2014

Mr. John Winkle,
Federal Railroad Administration
1200 New Jersey Avenue
SE Room W38-311
Washington, D. C. 20590
AAF-comments@vhb.com

RE: Draft Environmental Impact Statement (DEIS) - All Aboard Florida Project.

The Mission of the Indian River County Historical Society is to preserve, protect, restore, and enhance the cultural and environmental resources of Indian River County. In the past, this has always proven to be a challenge, but more so after the release in September of the All Aboard Florida Proposed Project described in the above DEIS.

Attached is a Memorandum and Letter Report assembled after review, research, and investigation by Ruth Stanbridge, County Historian and member of the Board of Directors of the Society.

If further information is needed or if this DEIS is revised, amended, or is moved forward, we wish to be considered as a Consulting Party under NEPA and NHPA Section 106.

Thank you for the opportunity to comment on this Proposed Project.

Respectfully submitted,

David Foster
President



December 2, 2014

BOARD OF DIRECTORS

PETER H. CONZE, JR.
President

LEONARD SUCSY
Vice President and Treasurer

GEORGE F. MACLEAN
Vice President and Secretary

DAVID A. BERENSON

GEORGE H. SHATTUCK, JR.

MERRILL S. SNYDER

ADVISORY BOARD

LLOYD L. BRUMFIELD

MAGGY HURCHALLA

WILLIAM L.G. LESTER

RUTH C. MEAD

DONNA S. MELZER

CHARLES G. PATTISON

NATHANIEL P. REED

F. ANTHONY ZUNINO

FOUNDER

BERNHARD M. AUER

Mr. John Winkle
Federal Railway Administration
1200 New Jersey Ave. SE, Room W38-311
Washington D.C. 20590
Subject: All Aboard Florida, Draft Environmental Impact Statement

Dear Mr. Winkle:

Please accept for consideration these comments regarding ecological components of the Draft EIS, which are provided on behalf of the Guardians of Martin County, a non-profit environmental conservation organization based in Martin County.

Our review of the DEIS and its appendices has revealed that, in spite of its heft, the DEIS is shockingly lacking in details regarding ecological impacts. The DEIS relies heavily on desk-top analyses and, in its current state, provides insufficient information on the extent of impacts on terrestrial and aquatic ecosystems and the federally-listed and state-listed flora and fauna which inhabit them. Perhaps the detail is lacking due to the DEIS being written at the time when engineering and construction plans were at the 30% design stage, but significantly more detail is warranted before the full impacts of the project can be determined. Areas of concern which are described in greater detail in the attached explanation, include:

- Impacts on threatened and endangered species and their habitats, including publicly-owned conservation lands;
- The inadequacy of the Alternatives Analysis;
- Impacts on wetlands, rivers and navigation; and
- Consistency with Martin County's Comprehensive Growth Management Plan

The inadequacies and inaccuracies in the DEIS must be addressed before the project can be evaluated.

♦ PROTECTING THE MARTIN COUNTY DIFFERENCE SINCE 2003 ♦

THEGUARDIANSOFMARTINCOUNTY.COM and SAVEMARTINNOW.COM

P.O. Box 1489, Hobe Sound, FL 33475 | (772) 546-7480

A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING 1-800-435-7352 WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL OR RECOMMENDATION BY THE STATE.

© 2013 THE GUARDIANS OF MARTIN COUNTY, A NOT-FOR-PROFIT 501(c)3 ENTITY.

REGISTRATION# CH30115

The Guardians of Martin County request that a second draft of the EIS be developed and published for public review and comment after comments on the DEIS are received and reviewed and updates made after the 90% design plans are integrated into the DEIS.

Thank you for your consideration, and please feel free to contact me if you or your staff have any questions regarding the information and details provided.

Sincerely,

Greg Braun

D. Greg Braun
Certified Environmental Professional
Registration # 03040418
Science Advisor to the Guardians of Martin County

cc: Anthony.Foxx@dot.gov
AAF_comments@vhb.com
John.Winkle@dot.gov
Andrew.W.Phillips@usace.army.mil
David.Keys@noaa.gov
Evelyn.Smart@uscg.mil
Allan.Nagy@faa.gov
James.Christian@dot.gov
Benito.Cunill@dot.gov
Gavin.Jamesg@epa.gov
Mueller.Heinz@epa.gov
John_Wrublik@fws.gov
Charles_Kelso@fws.gov
CongressmanPatrick.Murphy@mail.house.gov
Bill@BillNelson.senate.gov
Rick.Scott@eog.myflorida.com
Negron.Joe.web@flsenate.gov
GHarrell@GayleHarrell.com
MaryLynn.Magar@myfloridahouse.gov

**Comments by the Guardians of Martin County on ecological components of the
Draft Environmental Impact Statement for the
All Aboard Florida Passenger Rail Project**

December 2, 2014

1.0 General Comments on the DEIS and Process

The Guardians of Martin County recognize the need to have a thorough, complete and independently-produced Environmental Impact Statement to serve as the basis for determining the environmental impact of any project. Our review of the DEIS for the All Aboard Florida passenger rail project is that, in spite of its length, it is deficient in providing detailed assessment of existing conditions and is inadequate in determining the impacts of the proposed project.

In the following pages, numerous examples are provided of specific circumstances in which we have first-hand knowledge that far exceeds the information provided in the DEIS. Based on the gap between our knowledge of the local environment and the information that is presented in the DEIS, we can only assume that similar deficiencies exist for other counties through which the proposed project traverse. The following comments should therefore be taken as examples of the need to make wholesale and thorough updates to the DEIS.

It appears that the combination of the DEIS being written to 30% complete design plans and the analyses being primarily desk-top investigations have led to the release of a DEIS that lacks the detail necessary to accurately determine the impacts of the proposed project. We request that, upon completion of the current public comment period, the development of 90% complete design and the review of comments on the DEIS, a second draft of the EIS be developed and released for public review and comment. The current deficiencies are too far-ranging to allow for an accurate accounting of compliance with NEPA.

2.0 Impacts on Threatened Species, Endangered Species, and their Habitats

2.1 Flora

Over 50 plant species that are designated by the federal government and/or the State of Florida as Endangered or Threatened are documented to occur in Martin County (Table 2). Many of these occur in the scrub, scrubby flatwoods and wetlands habitats that exist along the existing FEC rail corridor. Detailed field surveys and mapping of listed endangered and threatened plant species is warranted due to the presence of existing native vegetative communities located within the existing rail corridor that is proposed to be widened.

The presence of the existing FEC railway presents a key issue in the management of several parcels of publicly-owned conservation lands in the Treasure Coast area, most notably Jonathan Dickinson State Park, Hobe Sound National Wildlife Refuge and the Savannas Preserve State Park. With the acknowledgment that ecosystems in Florida have evolved as the direct result of natural disasters, including fire and hurricanes, in general, land managers of these properties have done an excellent job in managing their acreage with the thoughtful use of fire as a management tool. Many individual endangered and threatened plants succumb to shading and competition from other species if land is protected from fire.

From 2010 through 2012, the Florida Department of Environmental Protection went through an intensive process to update the management plan for Jonathan Dickinson State Park (JDSP), culminating in the adoption of the updated plan in June 2012. A copy of the approved plan can be accessed at:

<http://www.dep.state.fl.us/parks/planning/parkplans/JonathanDickinsonStatePark.pdf>

The updated plan includes descriptions of notable flora and fauna, including threatened and endangered species. In recognition of the requirement to manage upland ecosystems using fire, the management plan separates the 11,000-acre property into approximately 100 management units and designates those units that are to be managed with fire (See Mgmt. Plan Table 1).

Because the existing single-rail FEC railway presently bisects Jonathan Dickinson and provides only one at-grade crossing, many of the management units necessarily abut the rail corridor. Smoke management is a key feature in applying fire as a management technique, and the presence of the existing railway at its present level of use already affects the ability of land managers to perform their duties.

A substantive omission in the DEIS is the lack of attention on the extent to which the proposed passenger rail project, with its 32 high-speed passages per day through the park will affect the ability of managers of conservation lands to continue to manage their properties with fire. Any reduction/restriction in the use of fire will adversely affect the populations of numerous fire-dependent threatened and endangered species. Considerable attention should be expended in the EIS in accurately identifying potential impacts and mitigating them to the greatest extent possible.

Because this omission has occurred in the DEIS at a property as substantial as 11,000-acre Jonathan Dickinson State Park, it appears that this issue has also not been addressed at other conservation lands through which the proposed passenger rail project traverses (e.g., Savannas Preserve State Park). The EIS should be revised to appropriately address the potential impacts of the project on land management activities at JDSP, the Savannas and all other public conservation lands through which it traverses.

A generalized fire management memorandum of understanding should be developed and used as template in coordinating with the owners/managers of conservation lands through which the rail corridor traverses.



Figure 1: Jonathan Dickinson State Park Management Zone Map

Source: Jonathan Dickinson State Park Land Management Plan

Another example of the inadequacy of the DEIS analysis on ecological issues is its lack of attention to plant species such as the Perforate Reindeer Lichen (*Cladonia perforata*), a federally-listed endangered plant species whose presence was given scant mention in the DEIS. This species, which was designated by the federal government as Endangered in 1993, is merely mentioned in Section 5 – Environmental Consequences (P 5-114 “found adjacent to the railroad corridor”) and Table 4.3.6-3. In reality, the total world-wide population of this federally-designated Endangered Species is restricted to a few highly fragmented populations in four counties in Florida. Because the DEIS acknowledges that the majority of the work on ecological issues was a “desk-top assessment”, the extent to which populations of this species are being affected by the existing FEC railway, and the extent to which double-tracking, triple-tracking and the increased frequency of use might effect this species is entirely unknown.

The DEIS is similarly deficient in its lack of detail regarding the proximity of the existing rail corridor to individual *Asimina tetramera* plants, another federally-designated endangered plant species that is known to be present in the scrub community. The entire worldwide in-situ population of this species is restricted to Paola sand substrate in Martin and Palm Beach Counties, through which the rail project traverses. An accurate determination of the potential impact of the proposed rail project on this species cannot be determined based on the limited data provided in the DEIS. Issues regarding the abundance of this species, its spatial distribution in relation to the rail corridor, the effect of the proposed project on its pollinators and the extent to which the proposed rail project will affect movement of the fruits/seeds by the wildlife that consumes it, are examples of the level of detail that must be identified and addressed in the EIS in order to determine the potential impact on this endangered species.

Similarly, the DEIS provides insufficient information regarding the presence, abundance, spatial distribution and potential impacts on *Acanthocereus tetragonus*, the triangle cactus, a state-listed threatened species which is known to be present in close proximity to the existing FEC corridor in the Savannas Preserve State Park (a 5,400 acre facility that is not even mentioned in Section 4.3.5.2. regarding Preserves, Wildlife Sanctuaries and Wildlife Corridors). Neglecting to include a conservation parcel that extends for approximately 10 miles from Jensen Beach to Fort Pierce, and through which the existing railway traverses, provides insight into the lack of thoroughness in the DEIS. In a situation that parallels the inadequacies of the DEIS in dealing with scrub management in JDSP, it is apparent that authors of the DEIS failed to consult managers at the Savannas and/or to familiarize themselves with the content of the approved management plan for this conservation property.

Detailed field surveys are warranted for all federally-listed and state-listed threatened and endangered species that occur in the vicinity of the proposed project – without the results of these surveys, potential impacts cannot be accurately identified, site-specific avoidance and mitigation alternatives cannot be identified and appropriate monitoring protocols cannot be established.

2.2 Fauna

A related oversight in the DEIS is the lack of thorough treatment of the potential impacts of the proposed rail project on scrub-dependent animal species, including Florida Scrub-jays, gopher tortoises and gopher frogs.

The information contained in Appendix 4-3 indicates that desktop and field surveys have been conducted for some species (e.g., scrub-jays). The DEIS fails, however, to identify the extent to which the proposed project will affect this species, other than saying that the US Fish and Wildlife Service has been convinced by AAF representatives that the project will not adversely affect them. Detailed surveys for Scrub-jays that have been conducted at Jonathan Dickinson State Park at a substantially higher level of intensity than those that were done by AAF's consultant clearly show that the existing FEC railway bisects the home range territory of several families of scrub-jays at JDSP (Figure 2).

Failure to analyze the extent to which adding additional lanes of track and/or adding 32 high-speed train passages per day through an individual jay clan's territory renders the Environmental Impact un-supportable by facts and inconsistent with the intent and goals of the National Environmental Policy Act.

The DEIS includes information that scrub-jays responded to play-back calls by flying across the existing railway corridor and that the approach of an on-coming train caused scrub-jays to take evasive action. The DEIS fails to identify and evaluate the extent to which the increase in frequency of use of the railway, the potential double-tracking and/or triple tracking through JDSP and the approach of high-speed trains will affect scrub jays. It is suspected that construction and operation of the proposed project will result in reduced scrub-jay nest productivity and potential abandonment of some home range territories in JDSP, but the absence of detail in the DEIS prevents the potential impacts on this species from being fully known.

Simultaneously, the DEIS is deficient in its treatment of Scrub-jays in the vicinity of Seabranh Preserve State Park in east-central Martin County. Scrub-jays were documented by state park biologists to occur at Seabranh during surveys in 2014, and it is likely that the home-range territory of the jays at Seabranh includes the golf course at Mariner Sands, a residential golf-course community which is located to the west of the existing FEC rail corridor. The extent to which the proposed project will create a barrier to scrub-jay movement between Seabranh and Mariner Sands cannot be determined based on the total absence of information on this topic in the DEIS.

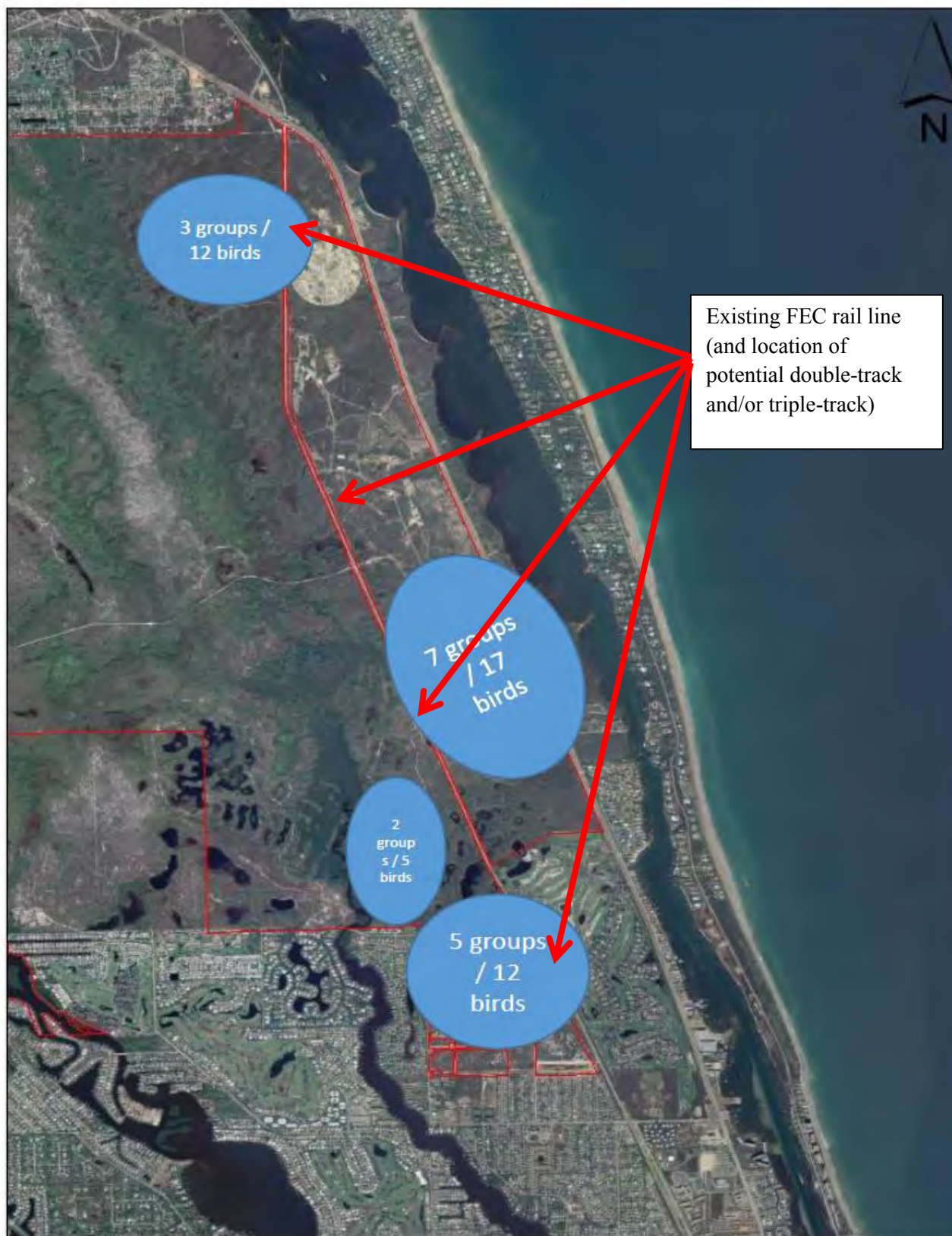


Figure 2 – Results of 2014 Scrub-jay surveys at Jonathan Dickinson State Park

Base map source: Florida Department of Environmental Protection; rail location identified for clarity

The results of detailed scrub-jay surveys are available for conservation lands in addition to JDSP and Seabrook Preserve State park (e.g., Savannas Preserve State Park, preserves in Indian River County). Prior to release of the final EIS, comprehensive scrub-jay data must be obtained and analyzed in order to accurately assess impacts, identify potential avoidance and minimization techniques (e.g., reduced train speeds where jay territories are traversed). Only after these steps are completed can site-appropriate monitoring protocols be identified.

Gopher Tortoises and their Commensals

The DEIS is similarly unacceptably deficient in its presentation and discussion of gopher tortoises, a reptile that is designated by the State of Florida as a threatened species. Without field surveys for this species having been conducted, the magnitude of potential impact of the proposed project on this species is unclear. The DEIS does not even provide an order of magnitude estimate of numbers of this species that will be affected – dozens, hundreds, or thousands along the full route of the proposed project?

The obvious need for this type of information is in order to accurately determine the locations, frequency, placement and design of wildlife crossings. The absence of data in this regard has resulted in the preposterous determination that no wildlife crossings are proposed or warranted anywhere along the 195-mile north-south stretch of proposed project.

The existing FEC rail corridor presently poses an obstacle to the movement of gopher tortoises and other species, most notably in areas where the railway bisects conservation properties. To eliminate or reduce railway-related mortality of gopher tortoises and other wildlife, wildlife underpasses and/or crossings are necessary. Numerous studies have shown the effectiveness of wildlife underpasses in preventing wildlife mortality and allowing movement of wildlife across transportation corridors. The locations, sizes, frequency and design of both the crossings and any necessary exclusionary fencing can only be determined after thorough wildlife surveys have been conducted. Upon completion of detailed wildlife surveys, revised plans that show the locations and design specifications of wildlife crossings and exclusionary fencing and/or other mortality-reducing alternatives should be provided, analyzed in the EIS and opened for public review and comment.

The burrows of gopher tortoises are well-known for the habitat they provide for a myriad of other wildlife, including federally-listed species (e.g., indigo snakes), state-listed species (e.g., gopher frogs) and non-listed species (e.g., opossums). Failure of the DEIS to accurately assess the impact of the project on gopher tortoises necessarily results in the failure to accurately assess the potential impact of the project on commensals. Application of the Eastern Indigo Snake key to determine the degree of effect is inappropriate until more thorough wildlife surveys, habitat mapping and wildlife hazard mitigation options are identified and evaluated. Analysis of impacts on gopher frogs is particularly warranted in conservation areas where the existing rail corridor separates seasonally-used habitats (i.e., posing a potentially fatal obstacle for the movement of gopher frogs from dry-season habitat in tortoise burrows to rainy-season ponds and wetlands).

The descriptions above highlight specific examples in which the DEIS is woefully deficient and inadequate in the level of detail that is needed in order to accurately assess the ecological impacts of the proposed project. The same lack of detail is apparent in the treatment of several other federally-listed and state-listed threatened and endangered species. The final EIS should not be produced and available for public comment until 90% complete engineering design plans and thorough field surveys for listed species have been completed.

3.0 Inadequacy of the Alternatives Analysis

The level of detail provided for the various east-west alternatives is warranted for several alternate north-south routes. Minor variations in the comparatively short east-west leg do not constitute acceptable alternative alignments for the project. The descriptions of the screening processes appear to have been contrived in order to creatively dismiss the need to fully evaluate other options that could be feasible. Options that should be fully evaluated include:

- Co-location within the existing I-95 and Turnpike corridors, including, if necessary, options for elevated service to prevent at-grade crossings;
- Co-location within the existing 500 kV aerial electrical utility corridor from Martin County to near Orlando International Airport; and
- The existing interior-Florida CSX railway which avoids urban east-coast communities from Martin through Brevard Counties.

4.0 Impacts on Wetlands, Rivers and Navigation

The Guardians are concerned that the DEIS inadequately addresses avoidance, minimization and mitigation for impacts to wetlands, rivers and navigation.

While the attempt to develop a DEIS in response to 30% complete design plans may have been a creative way to jump-start the agency review process, in actuality, doing so has revealed the inadequacies that are inherently associated with identifying impacts of a moving target.

Specific examples are the lack of adequate detail related to the impacts to wetlands and threatened and endangered species of double-tracking and potentially triple tracking portions of the existing railway and unknowns regarding “smoothing out” curves that may be too sharp to safely transit at high speeds. The DEIS is unclear, and personal communication with an AAF representative at the “open house” hearing failed to clarify the extent to which the construction of additional tracks within the existing railway corridor would require fill into wetlands at locations where the existing railway was built on/over wetlands.

One specific example of this situation is provided in Figure 3. At the location shown in southern Martin County, the existing FEC railway corridor was laid out and built in such a way that it traverses several previously-existing wetlands.



Existing FEC rail line
(and location of
potential additional
tracks)

Wetlands that have
already been adversely
affected by the
construction and
operation of the existing
rail corridor.

Because the existing
wetlands about the rail
corridor, any widening
or addition of tracks
would likely impact
wetlands, an issue that is
not addressed in the
DEIS or Corps of
Engineers application.

Without regard to the
extent that additional
wetlands might be
impacted, detailed
analyses & corrective
action is warranted at
locations where natural
hydrologic conditions
have been adversely
affected.

Base Map: Results of 2014 Jaywatch Monitoring for Scrub Jays at Jonathan Dickinson State Park

Source: Florida Department of Environmental Protection

Location of existing railway identified for clarity and relevance

Although the width of the railway corridor at this location is unclear based on the information contained in the DEIS, this location is one example of many along the route where wetlands abut the rail corridor on both sides. Details should be provided in the EIS that show the extent to which there will be land clearing and/or impacts to wetlands at locations where additional tracking (i.e., double-tracking, triple tracking and/or sidings) is proposed.

Regardless of the extent to which the proposed project will result in new impacts to wetlands, sufficient engineering and hydrological analyses are necessary to determine the locations where the existing railway corridor has adversely affected localized hydrologic conditions. Rather than buying mitigation credits at some remote wetland mitigation bank, wetland mitigation should be conducted at locations along the route in order to offset unavoidable impacts.

Water quality in the Indian River Lagoon (IRL) has deteriorated as a direct result of human-related impacts. Much of the AAF route is within the IRL watershed, but the location of the wetlands bank that would be used for mitigation is not revealed in the DEIS. FRA and the Corps should require that all wetland mitigation for the AAF project be performed within the same drainage basins as the wetland impacts. Impacting wetlands within the IRL watershed and mitigating those losses by purchasing wetland mitigation credits outside the IRL drainage basin leaves the IRL with a net adverse impact.

Impacts on rivers and navigation

The Guardians of Martin County are concerned that the DEIS inadequately addresses potential impacts on rivers and navigation. Various studies have shown that train noise and vibration have effects outside of railway corridors. The DEIS fails to evaluate the extent of adverse impacts on aquatic biota, such as the extent to which the life cycles of aquatic organisms will be altered by the passage of 32 high-speed passenger trains and the anticipated increase in freight trains.

The DEIS also fails to provide information regarding hurricane/emergency preparedness and evacuation plans. The simulation provided at the DEIS hearing regarding the movement of vessels surrounding bridge openings is not based on actual conditions. The Okeechobee Waterway is a key navigational pathway for cross-Florida vessel movement and for residents of eastern Martin County who prepare for hurricanes by moving their vessels to narrow creeks located west of the FEC railway bridge that spans over the St. Lucie River. The age of that span, coupled with its low vertical clearance, and narrow navigation pathway all point to that location being a critical navigation bottleneck, particularly during periods of high winds, when the bridge may need to be in the down position due to safety concerns.

5.0 Consistency with Martin County's Comprehensive Plan

A key element in education and advocacy of the Guardians of Martin County is support for Martin County's Comprehensive Growth Management Plan (CGMP or "Comp Plan").

The County has adopted two Policies that are directly related to providing passenger rail service options for its residents. Specifically:

Policy 5.5E.2. Encourage passenger rail service. The County should encourage passenger rail service to Indiantown and Stuart, including Amtrak and Tri-rail, and shall explore all possible financial and political means to implement this policy.

Policy 5.5E.3. Encourage commuter and inter-city rail. The County shall continue to participate with state, regional and local agencies to encourage the establishment of commuter rail and intercity travel in Martin County.

It is unfortunate that AAF has proposed a project that is not consistent with either of these Comp Plan policies. As with other Treasure Coast counties, the AAF proposal results in a myriad of adverse impacts (i.e., ecological, social, financial, navigational, etc.) and no tangible benefits.

6.0 Corrective Actions Recommended

To transform the project into an initiative that could possibly be embraced by The Guardians and the community as an amenity, the following actions are recommended:

- 1) Re-negotiation of the right-of-way agreements to ensure that tax-payer funds are not used to benefit the private, for-profit rail business;
- 2) Conducting detailed floral and faunal studies and mitigating unavoidable impacts through the installation of wildlife crossings and underpasses to result in no net adverse ecological impacts;
- 3) Siting, constructing and operating a community-friendly depot at a suitable location where Martin County residents have access to scheduled commuter rail service to Orlando, West Palm Beach, Ft Lauderdale and Miami; and
- 4) Implementing replacement or improvements to the railway bridge over the St. Lucie River to prevent it from becoming a critical bottleneck for navigation and evacuation.

In its current version, the DEIS does not meet NEPA requirements and is too lacking in details for ecological impacts to be accurately identified and mitigated.

Endangered and Threatened Plant Species found in Martin County, FL

Scientific Name	Common Name	Status
<i>Acanthocereus tetragonus</i>	TRIANGLE CACTUS; DILDOE CACTUS; BARBED-WIRE CACTUS	FL - Threatened
<i>Argusia gnaphalodes</i>	SEA ROSEMARY; SEA LAVENDER	FL - Endangered
<i>Asclepias curtissii</i>	CURTISS' MILKWEED	FL - Endangered
<i>Asimina tetramera</i>	FOURPETAL PAWPAW	US & FL - Endangered
<i>Bletia purpurea</i>	PINEPINK	FL - Threatened
<i>Calopogon multiflorus</i>	MANYFLOWERED GRASSPINK	FL - Threatened
<i>Chamaesyce cumulicola</i>	COASTAL DUNE SANDMAT; SAND DUNE SPURGE	FL - Endangered
<i>Chrysophyllum oliviforme</i>	SATINLEAF	FL - Threatened
<i>Coelorachis tuberculosa</i>	PIEDMONT JOINTGRASS	FL - Threatened
<i>Conradina grandiflora</i>	LARGEFLOWER FALSE ROSEMARY	FL - Threatened
<i>Cyperus pedunculatus</i>	BEACHSTAR	FL - Endangered
<i>Drypetes lateriflora</i>	GUIANA PLUM	FL - Threatened
<i>Epidendrum anceps</i>	DINGY-FLOWERED STAR ORCHID; DINGY-FLOWERED EPIDENDRUM	FL - Endangered
<i>Epidendrum nocturnum</i>	NIGHT-SCENTED ORCHID; NIGHT-SCENTED EPIDENDRUM	FL - Endangered
<i>Erithalis fruticosa</i>	BLACKTORCH	FL - Threatened
<i>Eugenia confusa</i>	REDBERRY STOPPER; REDBERRY EUGENIA	FL - Endangered
<i>Glandularia maritima</i>	COASTAL MOCK VERVAIN	FL - Endangered
<i>Habenaria nivea</i>	SNOWY ORCHID	FL - Threatened
<i>Halophila johnsonii</i>	JOHNSON'S SEAGRASS	US - Threatened
<i>Jacquemontia curtisii</i>	PINELAND JACQUEMONTIA	FL - Threatened
<i>Jacquemontia reclinata</i>	BEACH CLUSTERVINE; BEACH JACQ	US & FL - Endangered
<i>Lechea divaricata</i>	DRYSAND PINWEED; SPREADING PINWEED	FL - Endangered
<i>Lilium catesbaei</i>	CATESBY'S LILY; PINE LILY	FL - Threatened
<i>Myrcianthes fragrans</i>	TWINBERRY; SIMPSON'S STOPPER	FL - Threatened
<i>Nemastylis floridana</i>	CELESTIAL LILY; FALLFLOWERING IXIA	FL - Endangered
<i>Nephrolepis biserrata</i>	GIANT SWORD FERN	FL - Threatened
<i>Ophioglossum palmatum</i>	HAND FERN	FL - Endangered
<i>Panicum abscissum</i>	CUTTHROATGRASS	FL - Endangered

Endangered and Threatened Plant Species found in Martin County, FL

<i>Pecluma dispersa</i>	WIDESPREAD POLYPODY; WIDESPREAD ROCKCAP FERN	FL - Endangered
<i>Pecluma plumula</i>	PLUME POLYPODY; PLUMED ROCKCAP FERN	FL - Endangered
<i>Pecluma ptilota</i> var. <i>bourgeauana</i>	COMB POLYPODY; SWAMP PLUME POLYPODY; PALMLEAF ROCKCAP FERN	FL - Endangered
<i>Peperomia humilis</i>	LOW PEPEROMIA	FL - Endangered
<i>Pinguicula caerulea</i>	BLUEFLOWER BUTTERWORT	FL - Threatened
<i>Pinguicula lutea</i>	FLOWERED BUTTERWORT	FL - Threatened
<i>Pithecellobium keyense</i>	FLORIDA KEYS BLACKBEAD	FL - Threatened
<i>Pogonia ophioglossoides</i>	ORCHID	FL - Threatened
<i>Polygala smallii</i>	SMALL'S MILKWORT; TINY POLYGALA	FL - Endangered
<i>Polystachya concreta</i>	GREATER YELLOWSPIKE ORCHID; PALE-FLOWERED POLYSTACHYA	FL - Endangered
<i>Prosthechea boothiana</i> var. <i>erythronioides</i>	DOLLAR ORCHID	FL - Endangered
<i>Scaevola plumieri</i>	GULLFEED	FL - Threatened
<i>Spiranthes laciniata</i>	LACELIP LADIESTRESSES	FL - Threatened
<i>Spiranthes lucayana</i>	FLORIDA KEYS LADIESTRESSES; GRAY LADIESTRESSES; FT. GEORGE LADIESTRESSES	FL - Endangered
<i>Tectaria heracleifolia</i>	BROAD HALBERD FERN	FL - Threatened
<i>Thelypteris reticulata</i>	LATTICE-VEIN FERN	FL - Endangered
<i>Thelypteris serrata</i>	TOOTHED LATTICE-VEIN FERN; DENTATE LATTICE-VEIN FERN	FL - Endangered
<i>Tillandsia balbisiana</i>	NORTHERN NEEDLELEAF	FL - Threatened
<i>Tillandsia fasciculata</i>	CARDINAL AIRPLANT; COMMON WILD PINE; STIFF-LEAVED WILD PINE	FL - Endangered
<i>Tillandsia utriculata</i>	GIANT AIRPLANT; GIANT WILD PINE	FL - Endangered
<i>Tolumnia bahamensis</i>	VARIEGATED ORCHID; ANGELITA; DANCINGLADY ORCHID	FL - Endangered
<i>Vanilla mexicana</i>	MEXICAN VANILLA; FUCHS' VANILLA; UNSCENTED VANILLA	FL - Endangered
<i>Zephyranthes simpsonii</i>	SIMPSON'S ZEPHYRLILY	FL - Threatened

Friends of St. Sebastian River
Response to the Draft Environmental Impact Statement
All Aboard Florida

November 28, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Ave, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement, for the proposed All Aboard Florida rail project. The following are our concerns and comments regarding this project.

Section 3.2.1.1 lists the “Threatened and Endangered Species” that are addressed by the DEIS, and states that it specifically excludes plant and aquatic species, such as the West Indian manatee. The manatee is a federally listed “endangered” species and the St. Sebastian River provides critical habitat for the manatee. In addition, the entire river is covered by Manatee Protection Plans (MPP) in both Brevard and Indian River counties, which provide for year-round manatee slow or idle speed zones.

Manatees listed status requires permitting and consideration of possible impact to the species, for projects that potentially may affect them, as confirmed by the US Fish & Wildlife Service. The Army Corps of Engineers permit review “manatee key” states that the key applies to projects such as “construction/placement of other in-water structures.”

The DEIS states that the railroad bridge across the St. Sebastian River is to be demolished and replaced, yet it does not provide an analysis of the impacts to manatees. The ACOE manatee key lists specific projects that have a predetermined “may affect” status, requiring review to minimize or eliminate potential impacts of the project. We believe those impacts will/may include the listed “may affect” activities of:

- blasting or other detonation;
- installation of structures which could restrict or act as a barrier to manatees;
- floating platform, barge or structure that restricts manatee access to less than half the width of the waterway.

In addition the St. Sebastian River qualifies as an Important Manatee Area (IMA) due to parts of the river being designated a Warm Water Aggregation Area (WWAA), and as such, “any type of in-water activity” has the status of “may affect” impact to manatees. Therefore the DEIS needs to include a full analysis of potential impacts to manatees, beyond the proposed mitigation measures outlined in Section 7.2.11.1.

Section 4.1.3.2 Existing Navigation Conditions describes the existing conditions and operations of the waterways to be impacted by the project. Its description of the St. Sebastian River though does not include a significant recreational/access point for the river. Dale Wimbrow and Donald MacDonald Parks are county parks that are located upstream of the railroad bridge. They provide the only free, improved public boat launches on the river and are important recreational facilities for public access

and enjoyment of the river. In addition, larger size commercial tour boats regularly transit the railroad bridge crossing to access the South Prong of the river.

Section 4.3.5.2 Affected Environment – Essential Fish Habitat. While the DEIS and the National Marine Fisheries Service do not consider the importance of non “marine” habitat for assessment of essential fish habitat, the St. Sebastian River is habitat that is essential to a few rare fish species, some of which are endemic to the river. Dr. Grant Gilmore, Estuarine, Coast and Ocean Science, Inc., has published some of his research on these species in the St. Sebastian River, in Rare and Endangered Biota of Florida, Volume 2: Fishes. Dr. Gilmore has been trying for a number of years to establish the endangered status of these fish species by attempting to have them listed. To date none of them have been, but their rarity, and the importance of the St. Sebastian River for their survival merits consideration and minimization of any impacts to their habitat. Dr. Gilmore indicates that some of the most productive benthic habitat in the river is located just to the west of the current railroad bridge.

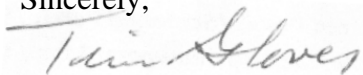
The DEIS only considers temporary construction impacts with regard to in-water bridge work, to be in the immediate vicinity of the project area. Impacts of noise, especially with the driving of pilings for bridge supports, will have far greater impact. The DEIS only considers noise impacts on fish species. Manatees and certainly dolphin, which regularly feed in the St. Sebastian River, will have a keen sensitivity to the noise produced by the project and therefore need to be considered, and impacts mitigated. The proposed use of air bubble curtains would seem ineffective in mitigating the extreme sensitivity of dolphins to the level of noise produced by pile driving. Additionally the DEIS does not address the noise impact to the river habitat, of more than tripling traffic crossing the bridge.

The DEIS proposes to demolish and replace the St. Sebastian River railroad bridge, but the Army Corps of Engineers Biological Assessment indicates that the original bridge will be maintained, and a new bridge built adjacent to it. The DEIS does not indicate that the Florida Division of Historic Resources has given their approval for the removal of the historic St. Sebastian River railroad bridge. If the bridge is to be demolished, the DEIS does not offer an analysis of the possibility, and minimization of the deposition of toxic materials in the St. Sebastian River, such as lead, rust, creosote, etc. In addition, an adjacent bridge would require a new alignment, which would have a significantly greater impact on the shoreline and wetland habitat along the river, as well as adjacent neighbors. The DEIS does not address these issues.

Potential impacts of the riverine cross section area (flow channel), by the new bridge, are also not addressed by the DEIS.

Thank you for your consideration of our concerns, and we look forward to them being fully addressed in the final Environmental Impact Statement.

Sincerely,



Tim Glover, President
Friends of St. Sebastian River
P.O. Box 284
Roseland, FL 32957-0284
info@fssr.org

cc: Andrew Phillips, Project Manager, US Army Corps of Engineers

STATEMENT OF AARON GOLD

MR. GOLD: My name is Aaron Gold, A-a-r-o-n G-o-l-d. I work at Boat Owners Warehouse. I've been employed in the marine industry for probably 22 years now.

I just don't think this bridge is going to be good. It's going to affect too many marinas with the bridge staying down this entire time. You know, if it was only a little bit during the day, maybe, but it's going to be down too long. It's going to effect all the marinas.

MS. HEBERT: What would that do to your job?

MR. GOLD: It's probably going to be losing jobs because of that. I don't even know what else to say about it. It's -- it's not a good thing at all.

MR. REED: Have you ever been stuck on the train? I mean, have you ever been on the water when the bridge was down?

MR. GOLD: No, I've never been, but I've been stuck by this train enough here, I can just imagine.

MS. HEBERT: It's the same train that goes across that bridge.

MR. GOLD: It's going to be way worse.

MS. HEBERT: Okay. Thank you, Aaron.

MR. GOLD: Anything else you need?

MS. HEBERT: No, that's it.

STATEMENT OF BARRY GAUCH

MR GAUCH: First name is Barry, B-a-r-r-y. Last name is Gauch, G-a-u-c-h. Bradford Marine shipyard, seven years. How long have you been employed in the marine industry? Seven years.

Describe your company related to the New River. Well, the New River is the lifeblood of this company. No New River, no Bradford Marine. Pretty simple.

Impact on your business if bridge is open less than the requested 40 minutes per hour. You know, the last public meeting these guys had, the comment from the guy from All Aboard Florida kind of towards the end of it was -- and it astounded me that he said it -- was if the marine industry has a problem, then the marine industry can move. And I -- I had to think about that and I said, this guy, you know, I don't know what planet he's from, but you can't just move the marine industry.

For starters, we probably, with the EPA the way it is these days, could never get approval to open a new shipyard anywhere in Broward County. Then the problem is where in Broward County could you open a shipyard. You have to have water, you have to have -- so the boats can get up and down. So the river is really, in Broward County, one of the few places -- you've got the Dania Cut and that's about it. Dania Cut and the New River. You've got the south fork, which is where all the marine industry is, where you can haul boats out, place them back in.

The idea -- then they also had the comment, they said they did a study and they said by the year 2030, there would be no traffic on Broward Boulevard going west. Again, I was astounded, when I know for a fact that half of the population of Broward County lives west of the railroad tracks, out in Weston, Davie.

MS. HEBERT: More than half.

MR GAUCH: More than half in all probability.

So when those people got to come to work between 7:00 and 9:00 in the morning, which is when the hold down is for the bridges anyway, the train starts coming through, you're going to have traffic backups that are going to be ungodly, unbelievable.

Now, I personally think what's happening with this, and I read about this several years ago, it's called the urbanization of America. It's where the EPA, the Feds, are trying to force people out of

the suburbs back into the urban -- major urban cities, so then you have all these highrises that are being built. We can see it in Fort Lauderdale now. More and more high-rises are being built in downtown to attract people to live downtown rather than out west. That still doesn't solve the problem.

The marine industry contributes -- last thing I read, contributes \$7.8 billion to Broward County. It may be a little more. I don't know.

MS. HEBERT: It's 8.8 now and 110,000 jobs.

MR GAUCH: So you take -- let's say you just take half of that away, okay, what's that going to do to Broward County? You just put 60,000 people out of work, you just took \$4.4 billion out of the local economy. You want to turn us into a ghost town, I can't think of a better way to do it.

MS. HEBERT: Have you ever been stuck on the river --

MR GAUCH: Oh, yeah.

MS. HEBERT: -- in a sea trial?

MR GAUCH: Oh, yeah. You know, when that one railroad bridge goes down, nothing goes through there, not even little boats.

And then they said, well, we'll put a bridge tender there. Well, the bridge tender doesn't have authorization to open the bridge. The bridge is opened from Jacksonville. Well, that's an accident waiting to happen.

There is an alternative bridge out there by 95 where they could route this train and go over the New River like they've pretty much always done and this is what they should do.

Now, from what I understand, probably the reason they don't want to do that is they want the train station in downtown Fort Lauderdale, rather than putting it out by 95.

Now, there is a train station out there now by the Bass Pro Shop and all that. There's a train pick-up stop there. Why not use that, expand it, make it like you want it. That brings the train out to the west, takes it over the New River, and life can go on. But this is not going to be a good thing for the people of South Florida.

And why are we building a high speed train to go to Orlando? I mean, I can drive to Orlando in two and a half hours and have my own car. If I take the train, now I've got to rent a car. You know, I mean, it defies comprehension. Why are they doing this? It's one thing for the cargo trains coming out of Miami and Port Everglades. They're going to go

from 5,000 feet long to 8,000 feet long, so you basically are going to double the time it takes to clear any type of railroad crossing. So that's bad news, too, for the people of Broward County.

Well, they could do that at night and we've seen -- when I grew up here, the cargo trains almost exclusively were at night between, you know, 6:00, 8:00 at night and 2:00, 3:00, 4:00 in the morning. That's when the trains were going up and down. Very rarely did you see a train during the day. Maybe one. Now they're talking about one every 40 minutes.

MS. HEBERT: It will be 52 trains and an average of 30-minute closure. Unfortunately, I have to wrap you up.

So you feel it's too many trains which causes too many closures?

MR GAUCH: Well, you're going to have All Aboard Florida and that's -- they're wanting 30 minutes out of every hour.

MS. HEBERT: All we're actually focusing on right now, we have the freight -- they're estimating, on the environmental impact statement, 20 freight trains and 32 passenger cars.

MR GAUCH: Per day?

MS. HEBERT: Yeah, per day.

MR GAUCH: So what does that work out to?

MS. HEBERT: Fifty-two.

MR GAUCH: Fifty-two. How many minutes in an hour? So, you know, how long does it take the train to clear?

MS. HEBERT: Right.

MR GAUCH: So you have 52 trains and how long will it take the cargo train to clear Broward County?

MS. HEBERT: Right.

MR GAUCH: How long will it take All Aboard Florida to clear Broward County?

MS. HEBERT: Right.

MR GAUCH: And then they say the train will go 120 miles an hour. Where is it going to do that?

MS. HEBERT: Right.

MR GAUCH: It's not going to do that in Broward County.

MS. HEBERT: So you feel that the impact will be severe?

MR GAUCH: Severe, beyond severe. It will be devastating to Broward County, devastating.

I own a home, yes. And children in school, none.

MS. HEBERT: Thank you very much.

STATEMENT OF CAPTAIN HERB RESSING

MR. RESSING: My name is Captain Herb, H-e-r-b, Ressing, R-e-s-s-i-n-g. The name of my company is The Fiberglass Shop. I have been in the marine industry for roughly 22 years. I started out as a charter yacht captain, yacht broker, marina products distributor, and now I'm working at the Lauderdale Marine Center repairing and renovating large vessels.

The company that we work for is located west of the New River. Consequently, the bridge under question that goes across by 3rd Avenue is a major source of concern in terms of being access to our marina, along with several other marinas that are part of what they call the Marina Mile. The impact on a 9 billion-dollar industry could be very, very negative and we're very concerned that enough thought and enough research has gone into this project to be able to justify the expenses that would be incurred not only by the marine industry, but, of course, by the real estate market that's located west of the bridge.

The bridge openings at the current level of 16 create a minor inconvenience. If you doubled that to 32, it would be almost inconceivable for them to maintain a 40-minute per hour open time period. The result would be, of course, closure, congestion, boat traffic running into other boats. A major, major concern is that there just isn't a lot of maneuvering space down near the Stranahan House or near River Walk and all of this, of course, would be impacted by the closure of the railroad bridge.

I own my own home, which is off of Riverland Road and, of course, that concerns me that my real estate value -- and I'm on a canal and I also have a boat that's anchored behind my house, which I use on weekends and during the week sometimes to go up and down the New River and go to restaurants, et cetera, et cetera. I do not have any children in school.

I would like to see All Aboard Florida put the brakes on so that adequate studies can be conducted so that instead of ignoring the marine industry, become involved with the marine industry for input, data collection, economic impact, congestion, and the ability to navigate the New River.

The Coast Guard is currently conducting hearings and, of course, their major concern is the right for navigation up and down the New River.

I'll close by saying that that bridge, the railroad bridge, was built some 30 to 40 years ago to

accommodate possibly three to four freight trains and that was it. Well, over the years, the railroad bridge has stayed the same. The amount of traffic that is being conducted on it has increased every year and now, the prospects of doubling the number of closures is going to have a major, major impact on the community, on the marine industry, on all the boaters, on all of the marinas that depend on access, and the people that live in Fort Lauderdale that call it, quote, the Venice of America. We'll lose that title for sure if more studies and more caution doesn't prevail. Thank you very much.

STATEMENT OF CHRIS BROWN

MR. BROWN: My name is Chris Brown, C-h-r-i-s B-r-o-w-n, and I'm the owner of High Seas Yacht Service located right here at Lauderdale Marine Center. I acquired the business six years ago and we've grown. The business has probably doubled in size now in the last six years. This business is based upon yachts, 60-foot and bigger, coming up the river to be hauled out here at Lauderdale Marine Center, which is one of the biggest facilities in the country of its kind.

And one of the challenges the yachts have, especially the larger yachts, is towing up the river and coming here because they're tied to certain tides. They have to come at high tide, some of the deeper draft boats, and when they have to wait for the bridge, that becomes a challenge for the draft. If they have to wait too long, the tide could go out and leave the tow boats stuck and, more importantly, it's a nuisance to some of the captains.

So when the captains are bringing their boats up here, they have choices. They can bring the boat to Fort Lauderdale, they can go to Miami, they can go to Jacksonville, they can go to Savannah.

And coming up the river, where I think a third or more of the marine business is on this side of the train bridge up the river, if that bridge is down for more than 20 minutes a day, it becomes a major annoyance to the captains and will start to affect their decision on where they want to go and have the boats worked on in yards. And they could get to the point where they want to start going somewhere else, anywhere but up the river because of that darn train bridge being down all the time, every hour.

The train bridge, based on the numbers we're looking at, is going to be closed probably four times more than it is today during working hours, and that's going to be a huge impact on the people going up and down the river.

I already can feel the impact, because I have my own little 21-foot boat that can't go under the train bridge when the bridge is down and I go up and down the river with friends socializing and going to lunch on the river and other places, right now with the bridge only closing on a Saturday three or four times a day during the day when they're running 16 trains a day and they're going to go from three closings, four closings a day to 20-something closings a day on a Saturday or Sunday when your average person

is out on a 20-foot center console enjoying the water. So from that perspective, it's going to be a huge impact.

I think long term, if the train bridge is down for more than 20 minutes or so a day -- an hour, sorry, captains are going to start to get frustrated and they're going to take their boats somewhere else. And that somewhere else is not Fort Lauderdale, because there's no more space in Fort Lauderdale to build big boatyards that are on the other side of the train bridge. So fix it.

STATEMENT OF COLLEEN DEVERTEUIL

MS. DEBERTEUIL: My name is Colleen Deverteuil. Last name is D-e-v-e-r-t-e-u-i-l.

The name of my company is Sol Marine Associates. I've been employed in the marine industry for 29 years. During the encompassing 29 years, I've done refit projects, managed yachts and boats of all sizes, from 32 feet up to 150 feet, and all of the work and dockage and the marine facilities and the servicing all comes up and down the river. Nothing is east of the bridge, it's all west, so traversing that river is very important to servicing the yachts.

Work consists of five employees on a full-time basis and multiple subcontractors depending on the size of the job. It can be anywhere from a handful, half a dozen, to two or three dozen depending on the value of the refit. I've done everything from a \$10,000 job up to a \$3-1/2 million job. So the river -- being able to access the river is critical to all the businesses in the marine industry that we bring into this area.

Being delayed at the train bridge happens frequently. It's not a safe place to be. There's water coming into the area, it's congested, there's no safe place to tie up. So having the bridge down on unscheduled closures or elongated times becomes a situation that depending on who's in the river, how it gets navigated can be quite dangerous.

I do own my own home and my children have all graduated out of this area, but we lived and have raised our kids and, actually, two of my children are in the marine industry, my father is in the marine industry, and so is my brother.

STATEMENT OF DEAN GUALILLO

MR. GUALILLO: Dean G-u-a-l-i-l-o.

MS. HEBERT: And so it's basically, you know, the name of the company you work for, how long have you been in the industry, what does the New River mean to you.

MR. GUALILLO: I work for Frank and Jimmie's Propeller. I'm the sales guy. I've been in the industry over 35 years and watched everything change from -- I'm sure just as you did, and these places and everything else and how they grew up.

The railroad is a serious issue for all marine businesses, ourselves included. All of the boatyards to the west of the bridge, in our case they do a lot of propeller work, a lot of shafting work, and that's -- to have that taken away from these yards would have a very serious impact on our business.

I think a lot of the captains, a lot of the owners are going to be worried about the delays. It's dangerous when you take and stage the traffic backups that you can get on the river on a day like today when you've got a lot of wind, you've got a lot of current, and you've got big boats moving, and then you have the daily traffic of really not professional boaters operating, it could be a very dangerous mix, very tight confines. And I think it will have impact on people making a decision to come up the river with their boats. Liabilities, hassles, you know.

MS. HEBERT: How long has Frank and Jimmie's been in business?

MR. GUALILLO: 1947.

MS. HEBERT: And how many employees are there, approximately?

MR. GUALILLO: I would say there's 30-plus at our Frank and Jimmie's and, collectively, they're the biggest propeller shop in the world. They have a number of affiliates that make it a big company, collectively.

MS. HEBERT: Thank you, Dean.

STATEMENT OF DONNA KITCHENS

MS. KITCHENS: My name is Donna Kitchens, Donna J. Kitchens. The name of the company is Boat Owners Warehouse, also known as D.S. Hull.

How long have I been employed in the marine industry? Nine years.

Describe your company related to the New River. This company, Boat Owners Warehouse, supplies numerous, multiple -- anything you need for your boats, whether yachts, small, big. That's just our company, marine industry.

Impact to the business. It's a vital impact to our business. It's going to affect us with customers with the yachts, with the people working on the yachts, they're not going to be able to get in and out of there. They're not going to go in and out of there because of the time delay. It's all about time and money. People want to get where they want to go. People want to get it done. People want to get out. If that bridge is down, they're not going to come this way. They're not going to go into our -- into the area beyond the bridge. It's sad. I mean, because just living here -- I'm a native Floridian. So knowing that bridge there and knowing the impact it's had in the years that I've wine and dined and lived on the New River, it would totally delay everything with the boats.

MS. HEBERT: Have you ever been delayed by the bridge yourself?

MS. KITCHENS: Oh, yeah. Oh, yeah. When I've been on a boat or been going up and down it or trying to get to the Performing Arts Center or whatever, it's caused delays in numerous activities and for lunch breaks. Well, no, not for lunch breaks. That's not true. All right. So that's have I been delayed by the train.

Safety issues by being delayed. I think that it's just going to cause a lot of hardships or -- let me think, safety issues.

MS. HEBERT: For example, if you've been on the water and the train bridge comes down, there's not a whole lot of space, nor is there a lot of mooring. Have you ever been -- witnessed that --

MS. KITCHENS: Yes.

MS. HEBERT: -- or seen that?

MS. KITCHENS: Yes. Playing or working or years ago, I had a part-time job with Water Taxi and I just, you know, helped them out and that was scary, absolutely, when that thing was down and, you know --

MS. HEBERT: What was scary about it?

MS. KITCHENS: Because they said that you had to wait there and it just took so long and then people would be impatient, people would be trying to dodge it just because they don't want to wait and that's -- that's almost like the train's on the road, basically. Time, again, it's all about time and these boats and yachts going in and out.

Do I own a home? Yes. Have children in school? No.

STATEMENT OF ED FOREAKER

MR. FOREAKER: My name is Ed Foreaker. The last name is spelled F-o-r-e-a-k-e-r. My company is Parker Merrick, M-e-r-r-i-c-k, Company. We're a marine fashion distributor. We cover from Key West all the way up through about the Cape Canaveral area. I've been employed with Parker Merrick for 31 years.

Many of our customers, if they're not mega yacht people themselves, they're subcontractors to the mega yachts. They're constantly at our counter, going back and forth to the boatyards, which are west of the railroad bridge. So if the bridge was to be down a considerable period of time, in my opinion some of these yachts would head up to Palm Beach to certain businesses that are out of the area, people would be laid off at the local marine distributor level.

As far as safety issues, I have seen mega yachts when the bridge is up and them coming down, trying -- guessing as to whether they can get under it in time. One yacht went right up -- with his windshield on the flybridge, right up to the bridge and just barely prevented himself from crashing into it.

So the idea would be, from my perspective, looking at the marine industry in Fort Lauderdale, certainly the biggest, maybe the second largest in the United States, at least as big as the biggest, which is probably Seattle, which has the commercial vessels, but we would be dramatically impacted if that bridge was to be down a considerable period of time.

STATEMENT OF ERIKA COONEY

MS. COONEY: Erika, E-r-i-k-a, Cooney, C-o-o-n-e-y. I'm the billing and receivables manager at Bradford.

Personally, I think the way the bridge is going to affect me, it's going to make my commute much harder. I live just east of the tracks, Sunrise and Flagler, so I follow the tracks straight down Andrews to 84. There are days now where I'm 10, 15 minutes -- if I get caught on Andrews and can't turn onto 84, I'm stuck 15, 20 minutes for traffic and it comes in spurts. There will be weeks where three times in a row and then I won't see any trains for a few weeks, but I can't imagine what it will do to the traffic.

I think it's essentially going to cut east off from west. And especially when you have tourists during season, the traffic is going to be unbearable east. I don't even know how we're going to be able to get anywhere. Coming home on Andrews, if that New River bridge goes up, there's traffic backed up all through town, all the way down to 17th Street. To open that bridge even more, especially during rush hour --

MS. HEBERT: Fifty-two trains per day.

MS. COONEY: -- it's going to make it nearly impossible to get anywhere. I mean, aside from how that personally affects me, work-wise, we have big boats up here over 100 feet. I don't know how they're going to be able to hold boats that size off in that congested river. For towing purposes, I think it will damage our towing business.

One of the best features about our yard is we are far west, so we are a safe haven during hurricanes. I think that's going to be another issue where people may consider "I don't know if we want to go all the way up there during a hurricane, what if we can't get up there, what if the river is jammed with boats trying to get west of the bridges." I think that's going to hurt our business.

And I'm sure you know, with the economy the way it was six years ago, we're all just starting to get back on our feet. This is going to knock us right back down again.

I think it's definitely going to be a hiring factor as well. Who wants to sit in all that traffic to get to work if you work at Bradford Marine. So it may chase away employees that might otherwise consider us may choose to work for yards further east so they don't have to deal with it. That's basically it.

STATEMENT OF FRED HAMMOND

MR. HAMMOND: My name is Fred Hammond, H-a-m-m-o-n-d. I work on a private motor yacht named Team Galati, 112 feet, but for the past six years I've been the Westport delivery captain from the facility just down the street and would make six, eight, ten runs a week down the river with a 40-meter boat, which is 330 tons of boat.

The bridge being down would affect us very much by not having -- allowing us to do our sea trials and sales runs for people, not counting going back and forth to the yards to get our work done.

MS. HEBERT: Have you ever been stuck by the bridge?

MR. HAMMOND: Oh, yeah. I've had the train stop on the bridge for almost an hour, train just dead stop.

MS. HEBERT: And what were some of your concerns while you were --

MR. HAMMOND: I was having to keep control of the yacht during the winds, the currents, the other boats, the other -- especially the little boats.

MS. HEBERT: And so if this bridge were down more than the 20 minutes per hour and it was down on average of 30 minutes per every hour --

MR. HAMMOND: It would cause us a lot of havoc, possible damage. I always say one bump is \$10,000. You can't get back to the yard to get it repaired.

No, I think that it's just causing too much. All this limiting the train numbers and car numbers, that would be a great thing, but I don't think that's ever going to happen. They have to put overpasses or tunnel them down underneath. Either way, somebody has to spend money to prepare the infrastructure to prepare like it is in other countries.

STATEMENT OF GENE DOUGLAS

MR. DOUGLAS: My name is Gene, G-e-n-e, Douglas, D-o-u-g-l-a-s. For 11 and a half years, I was vice president administration and general counsel of Bradford Marine and I continue to represent Bradford Marine in my corporate and legal consulting firm.

I have known Bradford since the 1970s. I've been in the marine industry since 1975 from the commercial side. Then I came to Bradford in January of 2003 and I've been intimately involved with it ever since. Bradford Marine is one of the world's largest undercover yacht repair facilities servicing a large number of -- large yachts from its facility at 3051 West State Road 84, west of the New River railroad bridge.

This is a very serious issue with a potential for a very material impact on a very important industry. Increased congestion around the New River bridge only increases the probability of marine-related access, loss of property and worse.

What needs to be done is long-range, broad-sighted, not myopic, single-purpose planning to overcome this obstacle. Bradford Marine is not against the train, per se, but rather we need to achieve a workable solution that would benefit all of the marine industry, as well as those -- as well as the train. When I say the marine industry, I take into account the -- all of the many shipyards and other marine-related businesses west of the New River railroad bridge, plus all those businesses that work with those businesses, so the effect is very, very serious.

In my view, penalties and the creation of a fund won't sufficiently compensate this important industry for a loss of business created by a bridge restricting access to their businesses, let alone help affected homeowners and their property values.

I would propose that the U.S. Coast Guard or some other governmental agency be given operational control over the existing bridge in the event it is not open at least 40 minutes an hour to allow marine traffic to come up the river and down the river.

In addition, there's a 2000 -- 2007 or 2009 study done by the Florida Department of Transportation talking about the feasibility of creating freight rail lines up the U.S. 27 corridor. There's a large Florida East Coast Railway yard in north Hialeah and there is an existing rail head south of Lake

Okeechobee, and the distance to connect those two to divert freight traffic out of the ports of Miami and Port Everglades is really not that long. It would be easy to do.

In addition, Florida East Coast needs to be required to build a new, higher, faster bridge that would accommodate the general marine traffic through that area.

Again, I believe this needs to be taken very seriously. I'm particularly taken by the fact that the U.S. Coast Guard in charge of the navigation of that river will take an active role and I laud them doing so. End of statement.

STATEMENT OF HEATHER MATTHEWS

MS. MATTHEWS: My name is Heather,
H-e-a-t-h-e-r, Matthews, M-a-t-t-h-e-w-s.

So, yeah, I think it would be a really bad idea because a lot of our customers do use the New River and we have heard some of them say they wouldn't be able to do business with us because of the inconvenience that it would have.

And I was actually just talking to somebody about how inconvenient it is. When the bridge goes down, it goes down for way too long, and she just told me one of the boats actually hit it once because of how inconvenient it is and all the traffic that gets built up with it.

It would affect our jobs, too, because those are our customers and they pay our bills. So it would be a really big inconvenience.

MS. HEBERT: And where do you work?

MS. MATTHEWS: Boat Owners Warehouse and I've worked here for six years.

MS. HEBERT: Have you ever been stuck by the bridge on the water yourself or via traffic or --

MS. MATTHEWS: I know the traffic is really bad. Myself personally, I have not, but I've heard plenty of stories about how bad it is.

STATEMENT OF HENRY RUPPEL

MR. RUPPEL: My name is Henry Ruppel, R-u-p-p-e-l. Company, Bradford Marine, as long as my working career.

MS. HEBERT: We don't have a copy of that. So you've worked in the marine industry --

MR. RUPPEL: All my life.

This company is a family business. It's very important to me, a lot of other people. Additional closures to the bridge can really affect traffic, affect boats coming in.

MS. HEBERT: What do you do for the company?

MR. RUPPEL: Project manager.

MS. HEBERT: So you know when the boats come in or they come up river --

MR. RUPPEL: Schedule now and now they're already -- you know, they need to be towed because we're so crowded and it's just going to add to a whole lot of hassle, not to mention working downtown, additional bridge closures and traffic.

MS. HEBERT: What would you think the impact would be if the bridge was closed more than 40 minutes of every hour? Meaning it was not open 40 minutes, what would you think if 20 minutes out of every hour or 30 minutes --

MR. RUPPEL: It's almost jammed up now. My brother lives over the bridge and we watch the traffic jam almost daily.

MS. HEBERT: Have you ever been stuck on the waterway?

MR. RUPPEL: Yes.

MS. HEBERT: And what was that like?

MR. RUPPEL: It's hard to maneuver a boat and hold it in position, especially with incoming or outgoing tides and winds. You risk a lot of accidents.

I'm kind of repeating everything else that everybody else says.

It would be great if they could run the tracks out west, up 27.

I own a home, my children are in private school, and this could all put it at risk.

STATEMENT OF JAMES SIMON

MR. SIMON: My name is James Simon, J-a-m-e-s S-i-m-o-n. Name of the company, of course, is Roscioli Yachting Center. I've been in the marine industry probably a good 20-plus years.

As far as my company, we repair -- also build yachts, so anything less than, you know, letting them through is going to slow us down, of course.

MS. HEBERT: Do your customers come here from the New River?

MR. SIMON: Every -- every single one of them has to come up the New River and go back down it.

MS. HEBERT: Have you yourself traveled up and down the New River?

MR. SIMON: Yes.

MS. HEBERT: Have you ever been stuck --

MR. SIMON: Yep.

MS. HEBERT: -- because of the bridge and what was that like?

MR. SIMON: One day it kept going down and down and up and down, up and down, and it would go part way up and then down. We were only in a small 30-foot boat, but we got hung up there for a good 45, 50 minutes before we managed to sneak through. There were a couple -- several boats backed up and waiting on either side and every time it would go up, one or two would sneak by each way and then the rest of us were stuck when it went back down. There were no trains coming across it, it was just coming down for no reason.

STATEMENT OF JIMMY FLOYD

MR. FLOYD: My name is Jimmy Floyd, F-l-o-y-d, and I am with Bradford Marine. I have been employed in the marine industry since 1976. I'm not sure how many years that is.

Describe your company related to the New River. We are a shipyard and yacht brokerage on State Road 84, Marina Mile, west of 95, so we are west of the train bridge.

And the impact to our business, I think it would be detrimental to our business. We depend on the river being open, as do many of the shipyards and marinas west of the train tracks.

I have been delayed by the train many times.

MR. REED: Tell us about that.

MR. MEHAFFEY: About one of them -- actually, I can tell you about one of them. We had some problems. We were delayed by the -- by the bridge and we were starting to get a pile up. We were actually inbound and we started getting boats piled up and it was an ingoing tide and boats started losing control, being pushed towards the tracks, and we actually had to lay several boats up beside each other right there at River Walk area and start rafting people off. That was pretty bad.

I do own a home east of town, east of the tracks and I work west of the tracks, so already I get delayed every morning with the one train we have. So the delay in time of getting to work and getting home would just be unbelievable. I can't imagine. I do have a child in school, in the school system here.

I think it would be horrible for anybody west of the ...

MR. REED: Do you own property on the river?

MR. FLOYD: No, I don't own property. I own -- I do own apartments on -- property on 17th Street. I think what it's going to do to the industry locally.

MR. REED: Is it going to affect your property values?

MR. FLOYD: Of course. Yeah, it will. There are a lot of businesses on that river, more than people realize. More than people realize. I tell you what. Now that this has come up, take a ride up and down the river and look. You notice it differently now. So it will definitely impact the industry, marine industry in Fort Lauderdale in a huge way. And that's all I've got to say about that.

STATEMENT OF JOHN ALTY

MR. ALTY: My name is John Alty. I'm a first officer on the Motor Yacht Atomic. I'm from Australia. I've been working in the industry internationally now for about nine years and I've been moving up and will eventually become the position of captain.

Having seen the facilities that are operated up river from the downtown area where the bridge is, there is a very good collection of local businesses which are available to us at this time should we desire to come up here. At the time I will become captain, then I would be coming into making decisions about where we will take our boat for refits, haul outs, and the rest of the services which they offer up the river.

Should the closing times for that rail bridge be -- come into account for what times we can -- we are able to go up and down the river, then I'm more likely to not go up there. I'm more likely to have whatever vessel I'm working on be in an area where I can have access to the sea without impidence.

STATEMENT OF JOHN BARBER

MR. BARBER: Name is John Barber,
B-a-r-b-e-r. I'm a paint shop foreman here.

MS. HEBERT: And the name of the company?

MR. BARBER: Roscioli Yachting Center.

MS. HEBERT: And how long have you been in
the marine industry?

MR. BARBER: Three and a half years.

MS. HEBERT: Okay. And what do you think
the New River means to you personally, as well as
this company, how would it affect you?

MR. BARBER: It's going to stop the amount
of boats we have in here to do our job and to pay
our livelihood so we can live just like everybody
else. If this yard closes down, I'm going to
have to find a new job.

MS. HEBERT: Do you think you would have to
relocate?

MR. BARBER: Yeah, yeah, I would have to
relocate. It's going to affect everybody in this
place; not just me, even the owner. So I feel
that we should -- like the captain just said, we
should limit the amount of cars so it limits the
amount of time that gate is up, and if you do
that, I think everybody would be happy.

MS. HEBERT: Okay. Thank you very much.

MR. BARBER: You're welcome.

STATEMENT OF JOHN FALK

MR. FALK: My name is John Henry Falk, F-a-l-k. At this point, I'm representing Yacht Haven Park and Marina. We're an RV park on the New River just west of 95 on the south -- on the north side of State Road 84. As in the name, we are a marina and an RV park.

I, myself, have been in the marine industry for 40 years and I've been employed by Yacht Haven for 15 years.

In speaking to some of our clients who are there, they are inclined, if it's going to be tough to get up and down the river, not to come back because they don't like -- they don't love it now that it takes between 45 minutes and an hour to get up and down the river. If it's going to take them two hours, two and a half hours, that means you're looking at a five-hour day going down and coming back to use your boat. That's almost the time you'd use your boat.

So we would probably lose a good part of our clientele and, I mean, they spend a lot of money in the area. We are just a marina, so all -- most of the people that need work done on their boat go to the boatyards that are in the area and a lot of that business would be lost.

And as a taxpayer in the City of Fort Lauderdale, County of Broward, I really think this has been pushed through without notifying us as a taxpayer. It just was pushed through. No one notified about the rail. Obviously, I wasn't notified, so the marine industry wasn't notified. I just don't think that it's a feasible thing unless they can have the river open between 35 and 40 minutes an hour so people can plan when they're going to go up and down.

STATEMENT OF JOHN TERRILL

MR. TERRILL: My name is John Terrill. Last name is spelled T-e-r-r-i-l-l. I serve as the dockmaster at Lauderdale Marine Center here. I'm a resident of Fort Lauderdale and I own a home here.

I'm greatly concerned about the impact that the trains will have on our business and the community at large. Boats that come to our facility have to navigate all of the bridges and finally the railroad bridge, the FEC bridge, to get to our facility. It can be very frustrating when they have to wait. They have to deal with both the currents, the unknown as to how long the bridges will be down, the bridge -- railroad bridge will be down, and also, oftentimes, recreational traffic. That can be very daunting and can be cause for them to look elsewhere.

There are some captains that already decided to go to other businesses that are not on the New River to avoid the frustration. With our kind of business, a yacht can go anywhere they want. A lot of our yachts are international and they can choose facilities in Europe, they can choose facilities in the United States but out of state, or facilities out of county, and we're trying to protect our business and the livelihoods of the families that work with us.

MS. HEBERT: Lauderdale Marine Center facilitates how many other subcontractors able to do business on a daily basis?

MR. TERRILL: We have on-site 60 businesses that work here. We have approximately 1,000 people that come through the gate every day to work on boats, and it's important to many, many families in our community. That's about it, I think.

STATEMENT OF KATHLEEN NITABACH

MS. NITABACH: My name is Kathleen Nitabach. That's K-a-t-h-l-e-e-n. Last name is N-i-t-a-b-a-c-h. I'm a principle in Bradford Marine on the New River. I've been in the marine industry -- well, Bradford Marine's been there since 1966 and we are a marine repair and refurbishment facility.

Now, the draft economic impact study did not correctly measure the impact of longer and more frequent train bridge closures. It's not just wasted fuel, as it states. It is the impact of new impediments to the ease of navigation of this public resource.

The marine industries have a total economic impact of \$8.8 billion of which I am a part of and a large part of this is from the New River access point. If the river becomes too difficult to navigate, the boats will go elsewhere for the repairs and refurbishments.

Between the river's strong current and vessel congestion while waiting for the bridge, the risk of damage to these vessels will deter the captains from planning yardwork at the facilities west of the New River or rail bridge.

And it's not just the bridge opening and closing that goes into the planning of a trip up the river. It's also the tides that compose a critical element to the navigation on the New River. Coordinating tides, currents, traffic, plus restrictive bridge openings will be a significant detriment to our industry should the bridge restrict access to our waterways more frequently than they do now. The situation at its current level is barely tolerable. Additional closure time would be the final straw in influencing where these vessels go for repair.

This is a 50-year-old bridge. Adding additional open/close cycles will only create more opportunities for breakdowns. The only improvement to the bridge closure downtime suggested by AAF is shortening the closure time prior to train arrival from ten minutes closure prior to arrival to a five-minute closure time prior to arrival.

The bridge tender promised by AAF will not have operational control over the bridge by their own admission. The river is a public resource being restricted for private profit. The marine industries do not impose any restrictions on the public access of these waterways, yet the private AAF is asking the

marine industry to share this resource 50/50. It is not ours to share, neither is it there's. It belongs to the public.

The marine businesses, private property owners, and boat -- public at large all share this precious resource without restricting either one's access to it.

AAF proposes to deny access to the navigation of these waterways 12 hours out of every 24. There are other options for the railroad to take. It's just cheaper and more profitable for them to take away public access for their own gain.

This not only affects the waterways, it affects local street traffic, adding at least one hour per day of critical street closures. The AAF closure time estimates are made under best case scenarios with no allowances for train delays, crossing malfunctions, and the like.

The solution is to take the traffic -- the freight traffic out west to the Route 27 corridor where the impact to the public would be minimized. The rebuilding of the badly aged bridge to a higher level would allow at least some of the boat traffic to pass under while closed. But these solutions are expensive and the AAF would rather deny access to the public than deny profits to their owners.

STATEMENT OF KODY LASHER

MR. LASHER: Hi. My name is Kody Lasher, K-o-d-y L-a-s-h-e-r. The name of the company I work for is Boat Owners Warehouse. I've been in the marine industry now for a year and a half, love it.

The way to describe that we're related to the New River is that we're a lot to do with selling boat parts to a lot of the boat captains around here and not even them, just the weekend people.

And I think it would just be a really, really, really big impact on the boat captains that are going up and down the river all day long. I mean, you've got the water taxis and you've got Sea Tow going up and down, it would just affect them.

And if they don't come in here to get their parts, where are they going to get them? How are they going to get to where they need to go with the boats?

I have been stuck by the train numerous times, the one on Downtowner and the one by 95, and it's 20 minutes or longer sometimes and it's not fun being stuck there. You're trying to have fun and -- the current is a real pain.

MS. HEBERT: Do you ever see any safety issues, meaning, you know, what did you do when you sat for 20 minutes?

MR. LASHER: Oh, yeah. Try to stay out of the way of the bigger boats because they have nowhere to really go. Once you're stuck there, they've got to wait just as long as you do, and then you're like, well, they have the right-of-way because they're a much bigger vessel than I am, so ...

MR. BAUM: Have you had any near collisions?

MR. LASHER: Unfortunately, no. Thank God, I have not --

MS. HEBERT: That's a fortune.

MR. LASHER: -- because that would be bad. It's a good thing we haven't, though.

MS. HEBERT: That would be unfortunate.

MR. LASHER: That would be pretty bad.

That's about it, really. I mean, I think it would really have a lot to do with people not coming in and moving their boats somewhere else to get their parts and everything else.

MR. BAUM: And this is your livelihood here, this is how you make your living.

MR. LASHER: Yeah, I've been born and raised and I've had a boat ever since -- ever since I've been growing up. I've always been on boats and fishing and just going up and down the river and learning about

everything in the marine industry and getting more experience about it. Now, it would be like it would be taking it away from me and I really wouldn't like that. That's just not fun. Being on the water is probably the best thing people have these days.

MR. BAUM: Your dad worked here when you were born.

MR. LASHER: Yeah, my dad worked at the Hallandale store many years ago. He was the manager for it, actually. So if it wasn't for him, I wouldn't be in the marine industry, actually. He taught me a lot and I definitely took a lot of his advice on the marine industry. He's definitely helped me come a long way in the marine industry to be safe on the boats and tell other people that are just now getting into it how to be safe and the right-of-ways for -- which vessel has the right-of-way and everything like that. So it's definitely a good industry to be in.

STATEMENT OF LEN DE LA HAYE

MR. DE LA HAYE: My name is Len De La Haye. That's L-e-n. Family name is De La Haye, D-e L-a H-a-y-e.

I'm a private individual. I'm a boat captain at the Marina Bay marina. My fiancé is connected with McDonald's hardware store, which is related to the marine industry.

I've been here in the States for two years when I purchased a boat here and came to Fort Lauderdale to refit it. During the time, I've logged 95 journeys on the New River, so I'm very well acquainted with it.

Looking at the navigation on the New River and the industry -- the marine industry as a whole, this came about -- the industry came about in the '50s and '60s and has become what it has become today.

This is where the CSX bridge and the FEC bridge that's being literally used only for freight, which is probably six to eight maximum trains a day, so for all intents and purposes little impact on the navigation of the New River. However, the proposals now by the All Aboard Florida and for the excess container freight coming from Port Everglades and Miami and the opening of the Panama Canal, with all the amount of trains proposed to go across these bridges, it really is not conceivable for any river to become unnavigable.

The study in 2006 when they were looking at railway traffic across the New River, the study said that bridges or a bridge should be built, an opening bridge of 35 feet or a fixed bridge of 45 feet or a tunnel, and that was after a lengthy investigation and study of New River.

The EIS and, in particular, the navigation report totally contradicts what that lengthy report established. If the railway traffic is to increase across the New River and to live compatible with the marine industry and also residents, there must be proper infrastructure put into place, whether that is a fixed bridge of 45 feet or an opening bridge of 35 feet or a tunnel, for the long term -- because we must look at the long term, it will be the next hundred years, and future generations will look back on what has developed here and it will either be in a good light or a bad light.

And so at the end of the day, one must look at the initial report and say that the infrastructure must be put in place to allow proper navigation on the

New River and that must be a bridge of some description and the removal of these two eye sores, which are the CSX bridge and FEC railroad bridge. That's it.

STATEMENT OF MARVIN WILSON

MR. WILSON: Marvin Wilson, M-a-r-v-i-n, and Wilson, W-i-l-s-o-n. The name of the company is Motor Yacht Atomic. I'm captain of the ship. I've been in the industry for 20 years. God, I'm old. I really am. I am one of the larger yachts that comes up the river to have work done.

MS. HEBERT: What size would that be?

MR. WILSON: We're 150 feet. We've just bid out \$1.27 million of work to be done here, \$1,270,000.

MS. HEBERT: Do you come up the river under --

MR. WILSON: We are towed.

Impact your business. A couple of things that concern me with the time period is we are very large. In coming up, a lot of times we can be delayed and so forth and having to hold a \$40-million toy in one position for a long time is going to be -- the question is will the insurance company insure us to be held for an extended amount of time.

Another thing that is very concerning to us, I believe it was in 1970 -- early '70s, there was an accident with this bridge and it shut the river down for about three months.

So if I bring my boat up here and there is an accident on the bridge, how long would we be stuck up here? We charter for about a million dollars a week. Who would be paying that to us?

Have we been delayed? No, we haven't. We know when we're coming up and down with sea trials and so forth, we time around that. And at this time with the bridge going down, we have a large enough window to make sure that it does not affect us. It's all about the window that will be once that bridge does --

MS. HEBERT: What do you mean by window?

MR. WILSON: The space of time between the bridge coming up and down, allowing us enough time for, you know, anything that may delay us where we're not endangering the vessel.

MS. HEBERT: If the bridge were to be down for the extended period of time, would that affect your decision --

MR. WILSON: Yeah, it definitely could. And I know that Thunderbolt Marine in Savannah, Georgia is already marketing to everyone because of the inconvenience of this and a lot of the

other marinas on the East Coast are just waiting
for this to happen because we will go.

STATEMENT OF MICHAEL FORD

MR. FORD: Good morning. My name Michael Ford. Name of company, I've got two: Jedline, Limited and New Idea, Limited. We have two yachts. I've been in the industry over 30 years.

Company related to New River. We've been bringing our boats to Bradford for the last 28 years.

If the bridge was to close for the 40-minute period, I would probably go elsewhere, find a yard the other side of the bridge. Two reasons: It's inconvenient; it's going to cost me for more the tugs, more insurance policy now with smaller boats being around and it just wouldn't be beneficial for us.

MS. HEBERT: Have you ever been stuck by the bridge?

MR. FORD: Yeah.

MS. HEBERT: And what was that like?

MR. FORD: Terrible, because they opened the flood gates there next-door and I went straight across on the other side. I was stuck there for over an hour waiting for the train.

MS. HEBERT: Worrying about other boats, smaller boats?

MR. FORD: Yeah, I was worrying about everything. I mean, that was on a smaller boat. Now I've got a 164-footer, you know, I'm not going to be bringing it up the river. I know I use tugs, but still, if you got four or five boats sitting there with tugs waiting, it's just a nightmare. It's just not worth it. Especially if I was only coming up for a month period, still not worth it. Then you're held captive this side of the bridge until you want to get out.

MS. HEBERT: And when you bring a boat here and you bring it to this yard, how many other businesses also work on the boat?

MR. FORD: Oh, this year alone, I've been here a year, and I've had probably 20 other businesses working on the boat and I'm spending well over three -- you know, well over three-plus million dollars, so that's a big impact on the industry.

MS. HEBERT: Thank you.

STATEMENT OF MIKE GRILLO

MR. GRILLO: My name is Mike Grillo. I work for Bradford Marine. I've been employed here for 19 years and before that, I worked at Broward Marine for 16, so I've been here for 35 years.

The problem, our company is west of the -- of 95 bridge. So any time if that bridge is shut down and we're not getting boats down here, it's not good. Me, I have a lot of experience, but since I'm older, you know, if I have to look for another job if our place shuts down, it's not good because I'm older.

I don't understand why we can't figure out a way to make it -- I know we need the trains, but I don't know why we can't build a bridge up above 95 or something, you know. We're smart enough, we should figure something out. We have the money here. And boat businesses make a lot of money.

I'm just hoping it works out in the marine industry's favor because there's a lot of people's jobs on the line.

STATEMENT OF PAUL LAFAUCI

MR. LAFAUCI: My name is Paul Lafauci.
First name Paul, P-a-u-l. Last name Lafauci,
L-a-f-a-u-c-i.

I'm the general manager for Boat Owners Warehouse in Fort Lauderdale. I started in the marine industry when I was 15 years old scraping barnacles at a boatyard and I just had my 50th birthday. So I've been in the marine industry for a long time, about 36 years.

The company here just celebrated our 35th anniversary and we sell boating supplies directly to the marinas, boatyards, and the pleasure boater in Broward County.

We're very concerned about the bridge program. If the bridge is to be down more than 40 minutes per hour, it will definitely make the choice for that boater of whether or not they want to keep their boat here in Broward or go to other areas that are much more convenient.

Our business is located on Marina Mile. It may no longer be known as Marina Mile because this program, if they implement it, will cause -- may cause those boatyards to go out of business and that will directly affect our business, which is a decrease in customers, revenue, and I may have to lay off employees as well. So it will definitely directly impact our businesses.

When I worked for the boatyards, I was a line -- a line handler. I was young. We were delayed many times in both directions waiting for the train bridge to either go up or allow other boat traffic to go through. And let me just tell you, when you're delayed, if it's a breezy day, it's very, very scary and dangerous for both your boat, plus any other boats and boats that are docked in the area as well. So there are safety issues based on those boats being stuck at the bridge, not being able to go forward.

Yes, I do own a home and, no, I do not have children in school right now.

STATEMENT OF PAUL STENGEL

MR. STENGEL: Paul Stengel, S-t-e-n-g-e-l. Plan A Marine Holdings. I've been employed in the industry 40 years.

MS. HEBERT: That's just a guideline. So if you want, talk about what are your ties to the New River, if you want to give that kind of background.

MR. STENGEL: I'm a yacht captain. I come up here to have my yacht serviced and I've been coming here since 1978.

Over those years, I've seen the river change and grow. The vessel traffic is huge. You start closing the bridges like that and the tugboats can't open them, I can't open them, going to have boat accidents. So then captains like myself won't put up with it and won't come and it hurts the yards that are up here that can't get the work from the big boats, you know. We'll go to -- we'll go to Palm Beach, Rybovich, and that's not fair. They've already lost enough business to those guys up there for other means.

MS. HEBERT: Have you ever been stuck by the railroad bridge?

MR. STENGEL: Absolutely. I've been stuck there for a day. Bridge went down and wouldn't open. And when they say the bridge is going to close for 30 minutes, they're lying to you. You can quote that. They're lying to you. It's not going to happen.

I'm not trying to take away from the railroad business. What needs to happen is a limit put on how many cars they put behind that locomotive, so the bridge is only closed for a short time. But when you start seeing 170 cars -- you know how long I sat at the 84 crossing the other day? You've been there. Now you're going to have that crossing closed down how many times a day?

So forget the yacht industry, look at the vehicle traffic that's going to be -- it's going to cause accidents. People are going to get hurt.

So whoever thought this up has no concern for the general public, has no concern for people trying to make a living, just the railroad.

And our mistake was Truman gave the railroad too much power. It's true. Nothing stopping the railroad from shutting that crossing down on 84 and say go a different way. The State can't do anything about it.

MS. HEBERT: The New River --

MR. STENGEL: The U.S. Coast Guard controls

that. So the Coast Guard has to come in and say too many trains or you know what, the train can only have 20 cars or 30 cars, not 170.

MS. HEBERT: It is the position of the Marine Industry Association of South Florida that the bridge be open a minimum of 40 minutes per every hour consecutively.

MR. STENGEL: I mean, you've got some big boats that come up here and that's where these guys make their money. They make money on little boats, but not like what I spend, and for us to stop coming, some of these yards will go away.

I look at it -- I'm a captain. I believe in safety and from a safety standard, you get three or four yachts tied up at that bridge because it's closed for a long period of time, the river gets backed up, what are you going to do? You're going to have accidents.

I mean, there's spots on the river where two big boats can't pass like a car, you know, one way and the other way, so it's going to cause accidents. We already have accidents. This is going to make it a lot worse, you know, and I don't have an answer for the railroad company except limit the cars.

Then you know it's only 20, 30 cars, I can see it's going to be a few minutes, boom. You take 84, they come with 170 cars and then they're backing up into the rail yard back and forth, can you imagine then if those bridges do that? It will be a nightmare for everybody.

And if some senator had to use that road or have his boat come up, we wouldn't be going through this. I've written them -- I've written five letters already.

MS. HEBERT: Good.

MR. STENGEL: Because it's a safety hazard. Not that I don't want the railroad to make money, everybody needs to make money in this country, but we all have to consider each other.

Maybe the railroad needs to chip in, stop taking government funds, and put an overpass on the crossing for the streets, anyway, and then limit the cars on how long that bridge will be closed for the marine industry. That's what I think.

STATEMENT OF PHIL BOYLE

MR. BOYLE: I'm Phil Boyle, B-o-y-l-e. I've been with this company for 34 years in February. I also work down the river down by I-95 at what was Lauderdale Yacht Basin at the time. I started when I was 20 years old. I'm 58 now.

Before that, my parents owned a shipyard, a small boatyard down close to just west of the Andrews bridge, right downtown Fort Lauderdale on West Las Olas Boulevard, so I go back to -- all the way back to 1964. I've been on the river that long, you know. That's why my arms are all cooked up, I've seen a lot of sun.

MS. HEBERT: What do you think the impact would be, the All Aboard Florida Project is projecting 52 trains with an average closure of 30 minutes per hour every hour?

MR. BOYLE: To be blunt, I think it's going to help paralyze the whole county and any county the train runs through. The amount of times that bridge is going to be closed, it's going to -- it's going to take a traffic problem that's already bad and make it next to impossible to go anywhere.

MS. HEBERT: Do you think boats will still choose to come here or what do you think the impact will be to Bradford?

MR. BOYLE: The impact on all the shipyards and boatyards and anybody who has a business along the river, it's going to make the loyal customers annoyed because they have to wait and they have to schedule even more so than they do now. It's going to jam up the river, as well, with boats because they have to wait in line to get through.

MS. HEBERT: Do you see any safety hazards?

MR. BOYLE: Safety hazards is all those boats that are trying to get through and they can't go anywhere. They have tides coming in, tides going out. You have the pumping stations where they dump millions of gallons of water whenever they want to, that's -- that's not even tied into how we do anything. That's Florida Freshwater Management or whatever it is. They do what they want.

The traffic is going to be ridiculous. It's already not good. I already mentioned it. And I think that people will seek an easier way to do things by finding an alternative of -- instead of coming up New River, they'll go to Palm Beach or will go to Miami.

It's been tough going through the past ten

years for all these businesses along the river because once the rich people stop spending money, things start dying off a little bit, people start losing their jobs, companies struggle to hang on to their businesses, and that causes a big problem for all the families and the companies can't grow.

We worked real hard over the years trying to build our company here and I think it's a bad decision and I, for one, wouldn't jump on a train going 120 miles an hour on a track that was built probably 60 years ago or more. That wasn't designed for anybody to go that fast. I think it's a little crazy, but...

MS. HEBERT: Thank you very much.

MR. BOYLE: I never thought it would get this far. I talked to somebody and say, no, we can't do that.

STATEMENT OF RENEE HOBART

MS. HOBART: My name is Captain Renee Hobart, spelled R-e-n-e-e H-o-b-a-r-t. I have a yacht maintenance company called Ariel Yacht Services, as well as working now for Boat Owners Warehouse and D.S. Hull.

I have been employed in the marine industry for 27 years and my company -- up until this past year, I have been working with Hargrave Custom Yachts, as well as my company, doing sea trials up and down the New River, taking boats throughout for haul outs and service and keeping them up at Marina Bay, all the way up for hurricanes, things like that.

I personally have been impacted numerous times by the bridge being down on the New River and the current pushing, pushing, pushing, pushing the boats into the bridge.

I would hope that we could come to some agreement and have the bridge go up and down faster or have less trains.

Also, impact on my business is out here on the street. This morning coming to work I was backed up with this train here on State Road 84, backed up all the way to Southwest 9th, so -- and yes, I have been delayed many times by the train bridge on a sea trial in both directions.

Do you need -- do you want examples, per se? One time, in particular, going to the Boat Show in Miami, we were stuck. The train was actually dead stopped on the train bridge for an hour and 45 minutes after a pedestrian was hit in Pompano, and we didn't get out. We were just there in the cul-de-sac -- in the bay area by the museum and waiting for them to move the train so we could get the boats out. There were quite a few of us there.

And yes, I do own a home, and no, I do not have any children in school.

STATEMENT OF RICHARD LAMARRE

MR. LAMARRE: My name is Richard Lamarre with Bradford Marine. I've been with the company for four months, a short time. I'm a project engineer and also a project manager,

And how we are affected, the flow of traffic -- I can speak because I work in Miami for 29 years at Bertram Yacht and we have similar situation where we have to go out for sea trial and so forth, and we have multiple boats here that have to schedule for sea trials to go out. And our broad line is the river to be able to keep our business going, and there are a lot of people that are working here that would be affected by restricting our motion to be able to go out on sea trial and bring the boats in.

We are a repair facility, so we depend on boats coming in to the repair facility. If we restrict our customers coming in, we're losing business and we all would be affected by it.

MS. HEBERT: Absolutely.

MR. LAMARRE: So that's my personal opinion about it and I'm sure that all the other people here feel the same way.

MS. HEBERT: She needs you to spell your first and last name.

MR. LAMARRE: My first name is Richard, R-i-c-h-a-r-d. Last name is Lamarre, L-a-m-a-r-r-e.

STATEMENT OF RICHARD LOMAN

MR. LOMAN: Richard Loman, R-i-c-h-a-r-d
L-o-m-a-n.

MS. HEBERT: And the name of your company?

MR. LOMAN: The Fiberglass Shop of Fort
Lauderdale.

MS. HEBERT: And how long have you been in
business?

MR. LOMAN: About 15 years.

MS. HEBERT: How long have you been in the
industry?

MR. LOMAN: My whole life.

MS. HEBERT: So 25?

MR. LOMAN: About that. Thank you.

MS. HEBERT: You're welcome.

Describe how your company is related to the
New River.

MR. LOMAN: We're based at Lauderdale Marine
Center and that's where the lion's share of our work
comes in. And if our customers couldn't reach us, we
won't be able to assist them and in turn, okay, that
would have a radical effect on us, on the ability for
us to make money.

MS. HEBERT: Have you ever been delayed
because of the bridge or have any of your customers?

MR. LOMAN: Many times.

MS. HEBERT: What was that experience like?

MR. LOMAN: Frustrating for the customer,
especially with the craft that don't have all the
marcons that some of the new stuff has. So it's
difficult to maintain the yacht on a narrow stretch of
river with the tide coming in and so forth. So it
hasn't been a good feedback.

STATEMENT OF ROBIN MATTHEWS

MS. MATTHEWS: My name is Robin Matthews. I work at Boat Owners Warehouse. I've been employed seven years.

If the boats can't go up the New River, then it's going to severely hurt our business because they're going to find somewhere else to go that they don't have to wait forever.

As living in this neighborhood, that train is a thorn in my side to begin with. Just going grocery shopping takes you 40 minutes to get home.

I am a single mother. I totally depend on my paycheck every week and if our business gets hurt, then my job has a possibility of getting hurt, so I would like to not see that train coming by.

STATEMENT OF SHAUN MEHAFFEY

MR. MEHAFFEY: Last name is Mehaffey,
M-e-h-a-f-f-e-y. First name is Shaun, S-h-a-u-n.

I work for Bradford Marine, about 14 years.

I've been on the New River probably about
ten of them. I tow all the large yachts up and down
the river in Fort Lauderdale, so I get stuck behind
the train bridge right now a lot. And it's already,
with the frequency that it's down, it's hard to pass.
So if it's down any longer than it already is, there's
not going to be enough room for all of us to go
through, which makes a safety issue for the small
boats and everything trying to get through.

And no, I don't own a home.

And I've been stuck behind the bridge for an
hour, and that's it.

STATEMENT OF STEPHANIE STROBEL

MS. STROBEL: My name is Stephanie, S-t-e-p-h-a-n-i-e. I work for Boat Owners Warehouse. I've been in the marine industry for four and a half years. Our business is strictly selling boat parts and we deal with captains all the time.

If the bridge is open less than 40 minutes an hour, a lot of our boats aren't going to be able to get in, which means they're probably going to leave.

I've personally been delayed tons of times by the train, whether just going out for pleasure or bringing boats in.

I don't own a home and I have no children in school.

STATEMENT OF STEVE BAUM

MR. BAUM: Hi. My name is Steve Baum, B-a-u-m. I'm the president and CEO of Boat Owners Warehouse and D.S. Hull Company. We're a marine supply company, both wholesale and retail. We currently employ 92 people.

I've been working in the marine industry for 34 years. I started out in a boatyard working as a bottom painter and barnacle scraper, worked my way up, so I'm familiar with every aspect of the industry.

I've spoken to several of our customers in reference to being able to navigate safely up the New River and they had stated that if the river becomes too congested or if it's too dangerous, they will take their boats elsewhere. And being that yachts are extremely transportable, they have talked about places like Georgia, Jacksonville, and out of the state of Florida, even out of the country, back to Bahamas or back to Europe.

If the bridge is not open for at least 40 minutes an hour, that will have the impact that I just described and our business will be hurt to the point where I will probably either have to lay people off or definitely stop hiring people and let attrition take its course, instead of growing like we have been for the last 35 years.

I personally have been caught at that bridge. One time I got caught, it was stuck down for so long that I actually could not return to my home port and I had to make other arrangements for the night because night fell and they could not raise the bridge.

The bridge goes down constantly with no train passing over it. If you get stuck at the bridge, wind and current are a huge concern depending on which way they're both going and how many other boats are around you. It can -- it can be a major safety factor. I've had several close instances with smaller boats and it's a major concern.

I do own a home in South Florida. I've lived here for 34 years. I have children in school -- one in college, one getting read to start college -- that I subsidize and pay for. If I lose this livelihood, then that's going to be an issue for them as well.

STATEMENT OF TUCKER FALLON

MR. FALLON: Hi. I'm Tucker Fallon.
Tucker, T-u-c-k-e-r. Last name is Fallon,
F-a-l-l-o-n.

I have a business called Ship's Wheel,
Incorporated. I've been a licensed captain since
1973, 41 years on the New River. Okay. As Ship's
Wheel, I do deliveries and sea trials. I also give
lessons to people running -- that buy boats.

MS. HEBERT: So the New River would have
what kind of impact on your business if the bridge
were to be down on average 30 minutes per hour every
hour?

MR. FALLON: As a licensed captain, I do a
lot of sea trials for the other brokers in my office.
I'm a broker here full-time. But when they need a
captain, they will hire me. I've been up and down the
river hundreds of times.

The problem will be especially on weekends
when novice boaters are on the river.

MS. HEBERT: Okay.

MR. FORD: The professional captains, they
can control the boats, but when the novices are out
there, they will have real difficulties.

MS. HEBERT: Meaning when the bridge is
down?

MR. FALLON: When the bridge is down and
they're trying to hold in position. And for boats
that are coming to the boatyards for repairs that may
have problems with bow thrusters or steering or
engines, it's going to be extremely difficult to get
here.

MS. HEBERT: And what would that mean if
they couldn't get here?

MR. FALLON: They might go to Palm Beach or
they might go to Miami. There's no bridges to get to
Rybovich.

MS. HEBERT: Thank you very much.

STATEMENT OF VIVIEN GODFREY

MS. GODFREY: My name is Vivien Godfrey and I am the CEO and majority owner of Bluewater Books & Charts. I'm one of the few woman-owned businesses in the marine industry in South Florida. I have 24 employees and thousands of customers here in South Florida.

On any given day, I have employees delivering products to customers and vessels located along the New River. I also have employees visiting vessels for appointments to audit their bridge navigation needs at agreed times.

It is my opinion that increasing the amount of time that the train bridge over the New River is allowed to remain down for trains to pass will cause delays and disruptions to my company operations. We will have to make costly and time-consuming changes to our delivery schedules and appointment schedules.

In addition and more importantly, once the impact of these disruptions on the New River becomes apparent to my customers, I am very concerned that customers will choose to take their vessels elsewhere. I will lose business especially if my customers take their vessels to other ports along the east coast of the U.S. and to the Bahamas, which is an increasingly popular destination for refit and repair work.

Last, but not least, my husband and I are boat owners who use the New River. It is very obvious to us that the congestion on the New River that already occurs when the train bridge is down is going to become much worse if the bridge stays in place for longer periods. Increased congestion will lead to a greater chance for boating accidents to occur.

We must work together to improve boaters' safety and not make decisions that could make boating in the Venice of America less safe for our families and visitors.



President

John Fitzgerald,
Saunders Yachtworks – AL

Vice-President

Graham Wright,
Great Island Boatyard – ME

Treasurer

Peter Sabo,
Camachee Yacht Yard – FL

Secretary

Kirk Ritter,
Morris Yachts – ME

Immediate Past President

Pamela Lendzion,
MarineTec Management – FL

DIRECTORS

Cathy Cope,
Dana Point Shipyard – CA
Kellie Crete,
Gowrie Group – CT
Douglas Domenic,
Brewer Dauntless Shipyard – CT
Guy Gauvin,

Boston BoatWorks – MA

Earle Hall,

Bluewater Yacht Yards – VA

Ron Helbig,

Noank Village Boatyard – CT

Paul Kaplan,

Keefe Kaplan Maritime – CA

Michael Keyworth,

Brewer Cove Haven Marina – RI

Bill Munger,

Conanicut Marine Services – RI

Joseph E. Parks,

Composite System Integrators – MN

Randy Ramsey,

Jarrett Bay Boatworks – NC

Michelle Shrider,

Washburn Marina – WI

Jack Stumborg,

Atlantic Yacht Basin – VA

Ed Sherman,

American Boat & Yacht Council – MD

Steve Smith,

Awlgrip – NJ

Gordon Connell

Executive Director

1075 SE 17th Street
Fort Lauderdale, FL 33316
954-654-7821
www.abbra.org

December 3, 2014

Mr. John Winkle

Federal Railroad Administration

1200 New Jersey Avenue, SE

Room W38-311

Washington, DC 20590

Dear Mr. Winkle:

I submit this letter today on behalf of the American Boat Builders & Repairers Association and our more than 250 member boatyards, boat builders and product/service providers around the U.S. In particular, I write to offer comments about the All Aboard Florida rail project and the Association of Federal Railroad Administration's recently released Draft Environmental Impact Statement on the project.

In South Florida, as in other communities around the country, recreational boating is not only a lifestyle, but a critical economic engine with significant direct and indirect impacts on the lives of thousands of people. A recent study by the Marine Industries Association of South Florida noted that more than 136,000 people are employed in the industry in the region, earning gross wages of nearly \$4.1 billion and with an economic impact of \$11.5 billion. Boatyards are vital to this economic activity and serve as the starting point for all things related to boating and the business of boating.

The proposed plan by All Aboard Florida to significantly expand the use of rail in Florida is of great concern because of the undeniable impacts it will have on the three waterways the trains will have to cross. The New River in Fort Lauderdale; the Loxahatchee River in Jupiter and the St. Lucie River/Okeechobee Waterway in Stuart are major arteries used regularly by boaters and businesses alike that will be adversely impacted by the current number and lengths of closures proposed. Simply stated, the current proposal for scheduled bridge closures equates to limiting the opening hours and access to businesses up the river by 50 percent each day. Any business or industry that is so impacted by could not be expected to survive even in the most prosperous of times. Furthermore, the prospect of adding additional rail traffic along this corridor that would increase bridge closures also adds to the untenable nature of the current plans.

ABBRA is also concerned that the Draft EIS was flawed in its economic assessment of the recreational marine industry and has diminished the resulting effect of its plans on this important statewide industry. The recreational boating industry is highly ranked as one of the industries in Florida along with tourism and agriculture and the DEIS grossly under-values the rail plans and bridge closures negative effects. There appears to be no recognition of the significant number of small businesses that



President

John Fitzgerald,
Saunders Yachtworks – AL

Vice-President

Graham Wright,
Great Island Boatyard – ME

Treasurer

Peter Sabo,
Camachee Yacht Yard – FL

Secretary

Kirk Ritter,
Morris Yachts – ME

Immediate Past President

Pamela Lenzion,
MarineTec Management – FL

DIRECTORS

Cathy Cope,

Dana Point Shipyard – CA
Kellie Crete,

Gowrie Group – CT

Douglas Domenic,

Brewer Dauntless Shipyard – CT

Guy Gauvin,

Boston BoatWorks – MA

Earle Hall,

Bluewater Yacht Yards – VA

Ron Helbig,

Noank Village Boatyard – CT

Paul Kaplan,

Keefe Kaplan Maritime – CA

Michael Keyworth,

Brewer Cove Haven Marina – RI

Bill Munger,

Conanicut Marine Services – RI

Joseph E. Parks,

Composite System Integrators – MN

Randy Ramsey,

Jarrett Bay Boatworks – NC

Michelle Shrider,

Washburn Marina – WI

Jack Stumborg,

Atlantic Yacht Basin – VA

Ed Sherman,

American Boat & Yacht Council – MD

Steve Smith,

Awlgrip – NJ

Gordon Connell

Executive Director

1075 SE 17th Street

Fort Lauderdale, FL 33316

954-654-7821

www.abbra.org

represent a multiplier effect of recreational marine industry's economic impact and employment reach; there is no accounting for the continuing investments in dredging by federal, state and local authorities and there was little or no consultation with the industry representatives in the preparation of the DEIS.

For these reasons, ABBRA urges you to consider the following mitigation options as also proposed by the Marine Industries Association of South Florida:

1. Add a tender at the New River Bridge to allow better communication with commercial and other vessels.
2. Develop a set schedule for the closures of the bridge for passenger rail service so that the bridges are closed for a minimum of 12 minutes for each closure and open for a minimum of a total of 40 minutes each hour.
3. Provide public access to the bridge closure schedules in an internet-accessible format, including a compatible smart phone application that is maintained by AAF.
4. Post schedules for each bridge on the AAF website and/or the USCG website. This will allow the boating community to plan their trips to avoid wait times and related costs associated with the Proposed Action.
5. Implement an adequate notification by sign, signal, and horn at each bridge location with countdowns to indicate the times at which the bridge will begin to close and open.
6. Develop emergency plans that incorporate hurricane and other response plans and formal contact with law enforcement, first responders, and emergency personnel at all times to ensure that roadways are not blocked by train operations to provide for their access.
7. Develop coordination plans between AAF and local authorities during peak vessel travel times on holidays and major public events.
8. Develop coordination plans between AAF and the USCG to promote communication with the commercial and recreational boating communities.
9. Manage train operations to minimize bridge closures, including electronic and camera monitoring.
10. Publish bridge closure schedule to be readily available for waterway users (internet, notice to mariners, etc.).
11. Fund a bridge tender with ability to communicate with waterway users.
12. Prompt notification of bridge closure schedule changes.
13. Install signal and PTC upgrades as well as an obligation to make future best available technology improvements to ensure optimum train operations.
14. Install a 21' draw bridge to accommodate potential future commuter traffic
15. Penalties for unscheduled bridge closures caused by AAF shall be established assessed on a daily basis and a graduated scale related to frequency of infractions, and adjusted for inflation. Closures in excess of the minimum shall be considered an unscheduled closure.
16. Stockpile spare parts to facilitate prompt repairs in the case of a bridge failure.
17. Establish a fund to provide compensation for interruptions to waterway use, e.g. in the case of bridge failure.
18. Establish and fund a citizens' advisory committee as a watchdog to oversee train operations and make recommendations to public officials.



President

John Fitzgerald,
Saunders Yachtworks - AL

Vice-President

Graham Wright,
Great Island Boatyard - ME

Treasurer

Peter Sabo,
Camachee Yacht Yard - FL

Secretary

Kirk Ritter,
Morris Yachts - ME

Immediate Past President

Pamela Lendzion,
MarineTec Management - FL

DIRECTORS

Cathy Cope,

Dana Point Shipyard - CA

Kellie Crete,

Gowrie Group - CT

Douglas Domenie,

Brewer Dauntless Shipyard - CT

Guy Gauvin,

Boston BoatWorks - MA

Earle Hall,

Bluewater Yacht Yards - VA

Ron Helbig,

Noank Village Boatyard - CT

Paul Kaplan,

Keefe Kaplan Maritime - CA

Michael Keyworth,

Brewer Cove Haven Marina - RI

Bill Munger,

Conanicut Marine Services - RI

Joseph E. Parks,

Composite System Integrators - MN

Randy Ramsey,

Jarrett Bay Boatworks - NC

Michelle Shrider,

Washburn Marina - WI

Jack Stumborg,

Atlantic Yacht Basin - VA

Ed Sherman,

American Boat & Yacht Council - MD

Steve Smith,

Awlgrip - NJ

Gordon Connell

Executive Director

1075 SE 17th Street

Fort Lauderdale, FL 33316

954-654-7821

www.abbra.org

19. Provide adequate and safe mooring for vessels forced to wait in the event of an unscheduled closure.
20. Provide for response vessels to be able to render assistance to vessels in the waterway in the case of sudden or disruptive bridge closures.
21. Determine future corridor capacity needs to evaluate potential impacts.
22. Publish a periodic report on bridge closures and impact on waterways use, including projections on corridor capacity, and a database that is maintained on operations derived from monitoring operations.

It is our sincere hope that careful review of these concerns results in substantive and reasonable changes that would allow the recreational marine industry, and the critical boatyards a viable future. Thank you for the opportunity to offer comments and please feel free to contact me if you have any questions.

Sincerely,

Gordon Connell
Executive Director

White & Case LLP
Southeast Financial Center, Suite 4900
200 South Biscayne Boulevard
Miami, Florida 33131-2352

Tel + 1 305 371 2700
Fax + 1 305 358 5744/5766
whitecase.com

December 3, 2014

VIA EMAIL AND U.S. MAIL

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE, Room W38-311
Washington, DC 20590
AAF_comments@vhhb.com

**Re: Draft Environmental Impact Statement for
All Aboard Florida Project**

Dear Mr. Winkle:

On behalf of the Marine Industry Association of Palm Beach County, Inc. and its members (the "Association"), we are writing to provide comments on the Draft Environmental Impact Statement ("DEIS") for the All Aboard Florida ("AAF") project to offer passenger rail service between Miami and Orlando (hereinafter the "Project"). To save space, we adopt and incorporate by reference the similar comments and concerns raised by others, such as Citizens Against Rail Expansion in Florida ("CARE Florida"), the Treasure Coast Regional Planning Council, the Jupiter Inlet District, the Town of Jupiter, and the Marine Industries Association of South Florida.

The Association represents the interests of the scores of businesses which are a part of the local marine industry. It includes recreational boaters, large marinas, builders and retrofitters of boats and yachts, small family businesses which provide marine goods and services, and related industries located near our waterways. The marine industry in South Florida generates billions of dollars in economic activity and supports a critical aspect of our local way of life. The Association is proud of the contribution it makes to the local communities, and wants to see that its members' livelihoods are protected.

The Association has serious concerns about the AAF Project. Its members live, work and relax on the Loxahatchee and St. Lucie Rivers. The existing railroad bridges over those rivers already block marine navigation for significant parts of each day as the result of freight trains. The AAF Project, by adding 32 trains a day to existing freight traffic, threatens to block marine navigation on these important waterways most of the time. This will be devastating to the people who rely on navigation of those rivers for their businesses and quality of life. Rail and marine traffic have coexisted on these rivers for years, but the AAF Project threatens to completely upset that balance for the benefit of a single large rail company at the expense of hundreds of small business owners in the marine industry. This is completely unacceptable to local residents and the boating public, and unreasonably impedes navigation.

December 3, 2014

The Association also has concerns about the other likely negative effects of the AAF Project. Its members all live in the local communities bisected by the AAF Project corridor. Many thousands of residents will be subjected to constant traffic delays, the noise and vibration of speeding trains, and damage to our environmental amenities. While we are focusing our comments on marine-related issues, we specifically adopt the comments of other raising concerns about these other types of environmental impacts.

The DEIS fails to adequately address the AAF Project's environmental impacts, and in particular, its impacts to marine traffic and marine interests. The document underestimates the amount of use the marine navigation channels experience, underestimates the amount of time those channels will be blocked with the AAF Project, and overstates the benefits of that project to the traveling public. The DEIS also fails to analyze several reasonable alternative ways to provide additional passenger rail service between Miami and Orlando which would avoid many of the impacts to marine navigation, does not even consider bridge and operational alternatives, and structures its analysis in a way which makes the AAF proposal a fait accompli. In light of the many structural flaws in the DEIS, we recommend that the Federal Railroad Administration address these issues in a supplemental DEIS so that the public can provide meaningful comment on the true options in front of the agencies, before the agencies finalize their analysis.

I. The DEIS' Discussion of the Impacts to Marine Navigation is Inadequate.

There is little doubt that increasing the number of trains traveling on the existing Florida East Coast ("FEC") railroad corridor will decrease the amount of time the Loxahatchee and St. Lucie Rivers are open to marine navigation. The FEC railroad crosses those rivers over bridges located mere feet over the surface of the water. This means that boats cannot travel under the bridges unless the bridges are open. The bridges were built decades ago, have slow and ponderous opening mechanisms, and to all appearances are decrepit. Already with freight trains, those bridges are down for substantial periods of time – 20 minutes per train, on average according to the DEIS. An increase in the number of trains necessarily means that the bridges will close more often, and every time that happens, marine navigation transiting the rivers will be blocked.

While the DEIS acknowledges this impact in general terms, it underestimates those impacts in several important ways. Since the National Environmental Policy Act ("NEPA") requires agencies to disclose the reasonably foreseeable environmental impacts of their proposed actions, the DEIS must be substantially revised.

a. The DEIS Underestimates the Number of Vessels Using the Rivers

The DEIS appears to use inaccurate estimates of the number of vessels which transit the St. Lucie and Loxahatchee Rivers. The DEIS indicates that there are an average of 121 vessel transits a day at the FEC bridge over the St. Lucie River, while more recent Martin County data shows an average of 225 daily boat transits under that bridge. Data from the U.S. Army Corps of Engineers website regarding the St. Lucie locks and dams similarly shows much greater commercial traffic on that river than disclosed in the DEIS. It is apparent that the DEIS fails to fully consider the significant number of vessels that pass through the St. Lucie locks on the Okeechobee Waterway. The Okeechobee Waterway, a federally-maintained navigation channel, not only connects the Intracoastal Waterways on the east and west coasts of Florida, but it also serves as access to several large boat yards in western Martin County that would otherwise be landlocked,

We believe that there also the DEIS also underestimates the number of vessel trips under the Loxahatchee River as well. As professionals in the marine industry, the Association knows that traffic through the

December 3, 2014

Loxahatchee River includes an average of almost 300 vessels per day. These vessels include recreational boaters heading upstream to fish, visit Jonathan Dickenson State Park, waterski in the large central embayment, raft up on the sandbar, or travel to the many area restaurants that are on located along the waterfront. The Town of Jupiter has spent a great deal of time, money and effort to develop its waterfront, including the Riverwalk and Harborside areas. The Loxahatchee River also sees as many as 14 commercial vessels a day, including local family-owned charter and guide businesses, sightseeing boats carrying tourist upstream, and vessels that contract, repair or maintain seawalls and over 1200 docks that are upstream of the bridge. None of these details, or anything that conveys the number and importance of the Loxahatchee River to local residents and businesses, is contained in the DEIS.

The DEIS also provides only current estimates of marine use, and makes no effort to project future demand for marine navigation through the Loxahatchee and St. Lucie Rivers. Just as freight rail demand is likely to increase in future years (discussed below), we believe that demand for marine navigation will increase in the future as well. This means that the amount of navigation blocked by rail operations will be higher in the future than are amount impeded today. Without accurate statistics of the number of vessels traveling underneath the bridges today and in the future, the DEIS inaccurately portrays the effects of the AAF Project on the marine industry.

Taken together, this has the effect of underestimating the economic effect of the AAF Project on the marine industry. As other commenters have noted, the marine industry in Miami-Dade, Broward and Palm Beach County generates annual wages in excess of \$4 billion and a gross output of \$11.5 billion per year. Approximately 75% of South Florida's recreational vessel repair facilities are upstream from the bridges to be used by AAF. Recent studies have shown that an average of approximately 250 vessels pass through each of the Bridges, which projects to approximately 90,000 per year for each of the Bridges. Needless to say, some days and some times of day have more traffic than others, with peak days seeing more than 450 vessels per day for each of the Bridges. This means that the effects of AAF Project on marine interests will be quite significant, both in the short and long term. We recommend that the DEIS be revised to incorporate more accurate statistics about current and projected future navigation demands, so that the effects of the AAF Project on the marine industry can fully disclosed to the public.

b. The DEIS Improperly Fails to Consider Impacts More than a Few Years in the Future

The DEIS has an unreasonably short planning horizon, which has the effect of hiding most of the reasonably foreseeable impacts to marine navigation. Major transportation projects such as the AAF project likely will be used for years into the future. Many of the impacts occur not from construction of the infrastructure improvements, but are the result of the use of those improvements over a long period of time. This means that while the federal action may occur in the short term, many of the environmental impacts occur over the long term. Since NEPA requires agencies to disclose the reasonably foreseeable environmental impacts of a project – whenever they occur -- most federal agency EIS's typically disclose the projected environmental impacts of infrastructure projects multiple years into the future. For example, the U.S. Army Corps of Engineers' recent EIS for the Central Everglades Planning Project used a 50-year planning horizon for purposes of analysis, and showed likely environmental impacts from the project decades in the future. Agencies also use forecasts of future use of transportation infrastructure to estimate likely environmental impacts in the future. An example of this is the Federal Aviation Administration, which uses Terminal Area Forecasts to estimate the likely number of flight operations which will use new airport runway infrastructure decades in the future.

The DEIS, on the other hand, uses no planning horizon. For most impact categories, the DEIS simply identifies certain impacts, without stating when those impacts are likely to occur. For these categories, the DEIS implicitly is limiting its analysis to immediate, short-term impacts, and ignoring any impacts

December 3, 2014

caused by use of the infrastructure improvements. For other impact categories, such as the effects of the AAF Project on car travel between Miami and Orlando, the DEIS only estimates the effects in 2019, which will be only a year or two after the AAF Project is built. This means that the DEIS makes no effort to disclose the likely impacts of the AAF Project more than a few years after it is built, even though that new rail infrastructure will be used literally for decades in the future.

This has the effect of hiding the long-term impacts of the AAF Project, including impacts to marine navigation. If the AAF Project is as successful as its backers suggest it will be, and there is increasing demand for passenger rail travel between Miami and Orlando, then there could be even more passenger trains using the tracks than the 32 trains a day discussed in the DEIS. If there is increasing demand for freight traffic on the FEC corridor in the future, then there will be more freight trains alongside the passenger trains than are estimated in the DEIS. Putting these together, the increased number of trains over the long term will cause many more bridge closures than discussed in the DEIS.

According to the DEIS, the percentage of total boaters experiencing delays immediately after the AAF Project becomes operational is anticipated to triple (from 14% to 42%) at the St. Lucie River Bridge and rise by approximately 64% at the Loxahatchee River Bridge in the first year of operations. However, even with the DEIS's artificially low 3% growth rate for freight operations after 2016, by 2030 that would be expected to require approximately 50 daily bridge closures, which would clearly result in the bridges being closed more than they are open, especially during daylight hours. If, however, the Port of Miami's most optimistic projections for cargo container growth are realized, freight trains might nearly triple by 2030, which when combined with the 32 AAF trains per day would cause the bridges to be closed almost continuously. According to the DEIS, the percentage of total boaters experiencing delays after the AAF Project is operational is anticipated to triple (from 14% to 42%) at the St. Lucie River Bridge and rise by approximately 64% at the Loxahatchee River Bridge in the first year of operations. Projected increases in freight trains after 2016 will cause even those massive increases in boat delays to increase significantly in successive years. Since the effects of the AAF Project on marine navigation turn on the number of trains using the FEC corridor, the failure of the DEIS to disclose impacts more than a few years into the future has the effect of seriously underestimating the impacts of the project on navigation.

We ask that the DEIS be revised to estimate the reasonably foreseeable environmental impacts of the AAF Project out to at least the year 2030, so that the public can see the true long-term effects of the project. Such a time horizon is reasonable given some of the studies referenced in the DEIS. The DEIS references highway traffic forecasts that extend to at least 2040, see DEIS, p. 2-2, aviation forecasts that extend to at least 2030, DEIS, p. 2-6, population growth estimates for 2040, DEIS, p. 2-7, and economic benefit projections into the 2020s, DEIS, p. S-17. As discussed below, seaports along the FEC corridor have developed estimates of freight demand into the 2020s and 2030s. The DEIS should use all of this information, and develop more such information if necessary, so that the total number of trains using the FEC corridor under the AAF Project can be seen over the long term, and the true effect on marine navigation can be analyzed.

c. The DEIS Underestimates the Number of Freight Trains That Will Be Using the FEC Corridor Alongside the AAF Passenger Trains

The DEIS is based on unreliable, and artificially low, assumptions about the expected numbers of freight trains expected to use the FEC corridor. This has the effect of understating the cumulative impacts of passenger train and freight train trips on marine navigation.

The DEIS assumes an average of 20 freight trains per day in 2016, up from 14 per day in 2013. It assumes a 3% annual increase in freight train operations after 2016, but government agencies pursuing

December 3, 2014

other major infrastructure projects in South Florida have projected massive increases in freight cargo beyond 2016. For example, the 2014 Port Everglades Master Plan projects a cargo container increase from less than one million TEUs in 2014 to approximately 1.6 million TEUs in 2024, an increase of more than 60%. The 2012 Port of Palm Beach Master Plan Update similarly projects container tonnage to rise from approximately 1.3 million tons in 2014 to as high as 1.7 million tons in 2022. The Port of Miami 2035 Master Plan projects even more dramatic increases in container cargo, from approximately 1 million TEUS in 2013 to as high as 2.4 million TEUs under the most aggressive growth projection. If these port master plan projections are accurate, then the 20 freight trains per day in 2016 assumed in the DEIS would be expected to rise to far more than 30 by 2024 and even higher levels beyond 2024.

Freight train usage is tied closely to the construction industry, as much of the freight is limestone, cement and aggregate used in construction. It reached its peak in 2006 because that was the peak of the real estate/construction boom and it declined since then because the real estate and construction industries went into a serious decline in those subsequent years. But it is clear that the real estate and construction industries are well into recovery, with a large number of new projects just getting underway and anticipated over the next several years. Moreover, the “trend” toward intermodal/container freight also indicates a likely increase in freight train usage now that the Port of Miami Tunnel has become operational, thus making it dramatically easier to move freight through the Port of Miami.

Given the likely high demand for freight trains on the FEC corridor over the long term, and the FEC’s financial interest in maximizing freight operations, we recommend that the DEIS include an estimate based on maximum freight train usage in 2030 or beyond. At the very least the DEIS should use peak freight train usage over the past decade (2006 levels), as opposed to the much lower projections used in the DEIS. The DEIS’s failure to properly assess the cumulative impacts of those freight train trip increases is a critical flaw and causes it to vastly understate the cumulative impacts of the AAF passenger trains and freight trains on marine navigation.

d. The DEIS Fails to Fully Address the AAF Project’s Likely Effect on Compliance with Coast Guard Regulations

The DEIS fails to adequately address compliance with U.S. Coast Guard regulations regarding the effects of the railroad on marine navigation. This is a very important matter to be addressed, because the U.S. Coast Guard is a cooperating agency on the EIS and presumably will consider information in the document as it exercises its authority to protect marine navigation.

Free marine navigation through and under bridges is protected by 33 U.S.C. § 491 et seq. 33 U.S.C. 494 provides:

No bridge erected or maintained under the provisions of sections 491 to 498 of this title, shall at any time unreasonably obstruct the free navigation of the waters over which it is constructed, and if any bridge erected in accordance with the provisions of said sections, shall, in the opinion of the Secretary of Homeland Security at any time unreasonably obstruct such navigation, either on account of insufficient height, width of span, or otherwise, or if there be difficulty in passing the draw opening or the drawspan of such bridge by rafts, steamboats, or other water craft, it shall be the duty of the Secretary of Homeland Security after giving the parties interested reasonable opportunity to be heard, to notify the persons owning or controlling such bridge to so alter the same as to render navigation through or

December 3, 2014

under it reasonably free, easy, and unobstructed, stating in such notice the changes required to be made, and prescribing in each case a reasonable time in which to make such changes, and if at the end of the time so specified the changes so required have not been made, the persons owning or controlling such bridge shall be deemed guilty of a violation of said sections; and all such alterations shall be made and all such obstructions shall be removed at the expense of the persons owning or operating said bridge. The persons owning or operating any such bridge shall maintain, at their own expense, such lights and other signals thereon as the Commandant of the Coast Guard shall prescribe. ***If the bridge shall be constructed with a draw, then the draw shall be opened promptly by the persons owning or operating such bridge upon reasonable signal for the passage of boats and other water craft.***

33 U.S.C. § 494.

The bridges already area serious obstruction to marine navigation on these rivers even in the absence of the AAF project because they are too low to allow vessels to pass when in the closed position and are quite narrow even when open, thus allowing only one vessel to pass through at a time. Moreover, the bridges are very slow to open and close for trains, thus shutting down marine navigation on the St. Lucie and Loxahatchee Rivers for extended periods of time. Current marine traffic in the area is already significant and even current conditions potentially can cause dozens of boats to draft in a queue in heavy, swirling currents for 15-30 minutes at a time while the Bridges are down for freight traffic. Due to the very narrow bridge openings and the difficult currents, only a few vessels can pass through the bridge per minute.

Generally, the Bridges are kept in their fully open and upright position to allow marine vessels to pass through the bridges, as required by 33 CFR § 117.299 and 33 CFR § 117.317. When a train approaches the bridges, they are lowered and locked down until after the train has safely cleared, which normally takes 15-30 minutes depending on the speed and size of the train. The DEIS indicates an average closure time for both of the bridges of approximately 20 minutes. Accordingly, the bridges are typically closed for approximately 15-30 minutes per hour. Due to the very low elevation of the bridges, when they are down and closed, virtually no marine traffic can pass under the bridges. Thus, even in the absence of the AAF Project, the existing freight train operations significantly impact the marine industry, recreation and safety.

The AAF Project will make this situation far worse, and appears likely to significantly disrupt marine traffic through the Loxahatchee and St. Lucie Rivers. AAF proposes to more than triple the number of trains that use those bridges, thereby more than tripling the number of bridge closures to marine traffic. Even in the absence of the AAF project, bridge closures are unpredictable in time and duration. Freight trains are not spaced evenly throughout the day, thus causing times when the bridges are closed for far longer than 20 minutes at a time. The DEIS projects an average single closure time for the combined freight and passenger trains of 15 minutes, but also assumes that for certain closures multiple trains would be expected to pass over the bridge in a single closure. As a result, for the St. Lucie Bridge, it suggests that the 32 daily passenger trains will result in only 24 additional closures per day, which assumes that 25% of such trains will share a bridge closure with another train (either passenger or freight). Without any kind of reliable schedule information for freight trains, it is difficult to imagine that the projected number of multiple train crossing closures is accurate. Even if it is accurate, multiple train crossings will still result in longer closure times unless the two trains reach the bridge at precisely the same time. With

December 3, 2014

the planned “simultaneous” crossings at the New River Bridge, AAF also has virtually foreclosed the possibility of simultaneous crossings at the St. Lucie or Loxahatchee bridges.

Even assuming the accuracy of the DEIS’ bridge closure projections and the number of multiple train crossing closures, the 24 additional closures per day, with an average closure time of 15 minutes per closure, will cause the bridge to be closed an average of more than three additional hours per day on weekdays and four additional hours per day on weekends. This is on top of the significant increases in freight trains projected by the South Florida ports, as discussed above. The DEIS presents bridge closure estimates for 2016, but not for the following years. It does, however, project an annual increase of 3% per year after 2016. This 3% figure is rather conservative compared to the container cargo projections used by the South Florida ports in their master plans. For purposes of assessing the impacts of the AAF project, it should assume the more aggressive growth rates used by the ports. But even at the 3% annual growth assumed in the DEIS, the number of freight trains would be expected to rise from 20 per day to 25 per day by 2024 and approximately 30 per day by 2030. This will result in 8-10 more bridge closures per day and will cause an unreasonable obstruction to navigation that will not only devastate the marine industry and marine recreation in Palm Beach County and beyond, but likely will also cause widespread marine safety problems.

We strongly recommend that the DEIS be revised to include a more accurate and thorough discussion of the effects of the AAF Project on marine navigation and compliance with U.S. Coast Guard regulations. The agencies cannot approve this project without fully understanding, and disclosing to the public, whether the project will lead to violations of rules designed to protect the safe and efficient use of these important waterways. The agencies should not approve a project which they know will lead to a violation of federal regulations.

II. The DEIS Fails to Consider a Reasonable Range of Alternatives

The DEIS is woefully deficient in its consideration of alternatives. NEPA regulations make clear that the consideration of alternatives “is the heart of the environmental impact statement.” 40 CFR § 1502.14. There are several alternatives to AAF’s proposal which would increase passenger rail service between Miami and Orlando and avoid most of the impacts to marine navigation interests. Yet, the DEIS either dismisses them out of hand, or fails to even identify them as possibilities. This has the effect of predetermining the outcome of the process, by making AAF’s proposal seem like the only workable option. The DEIS must be revised to include a consideration of such alternatives so that the agencies and public are aware of the true choices being made.

a. The DEIS Should be Revised to Include Alternative Rail Corridors South of Cocoa

The DEIS only evaluates in depth a single route south of Cocoa: the existing FEC corridor. Yet, there are several obvious alternative corridors which could provide improved passenger rail service from Miami to Orlando. The DEIS must be revised to include an evaluation of these corridors.

There are other potential corridors for passenger rail service between Miami and Orlando, including locating new track along the Ronald Reagan Turnpike or I-95. But the most obvious alternative would be to simply invest in the existing Amtrak service along the CSX corridor from Miami to Orlando. That service already exists; the Miami Amtrak station is in the process of being relocated to the Miami airport in a new station that is part of the Miami Intermodal Center; and the Amtrak stations in West Palm Beach and Orlando are better located than the proposed AAF stations in those cities. Using Amtrak would avoid the use of the FEC bridges over the Loxahatchee and St. Lucie Rivers, which would eliminate the marine navigation impacts associated with the AAF Project. The only real drawback identified for this

December 3, 2014

alternative is that Amtrak service currently is slow, but the DEIS does not explore whether investment could be made on that corridor to speed travel time or otherwise improve the service.

The DEIS' rejection of any alternative other than the FEC corridor is plainly arbitrary and capricious. The State of Florida assessed these corridors in the mid-2000s and concluded that they all were feasible routes for high speed rail. Indeed, the State of Florida concluded that the FEC corridor was the *worst* among the options analyzed. A 2003 Report to the Florida Governor and Legislature by the Florida High Speed Rail Authority included a preliminary assessment of an extension of the high-speed rail system from Miami to Orlando. The study examined high-speed rail technology options, capital and operating costs, and ridership/revenue projections. The four route options evaluated were the 1) CSX Railroad, 2) Ronald Reagan Turnpike, 3) Interstate 95, and 4) FEC Railway. The study assumed the train would run at high-speed during the entire corridor (i.e. faster than the AAF proposal) and that the high-speed rail would be physically separated from freight rail lines at grade crossings. The four route alternatives were evaluated qualitatively on the basis of expected travel time, capital costs, travel demand and environmental factors. The routes were given a rating of good, fair, or poor. FEC Railway was the only route to receive a poor rating for three (travel time, capital costs, and environmental) of the four factors.

The DEIS can only dismiss any other potential passenger rail corridor by manipulating the statement of project purpose and need to foreclose any real option other than the applicant's proposal. First, the purpose and need limits the consideration of alternatives to those that are "sustainable as a private commercial enterprise." The Federal Railroad Administration's goal should be to improve passenger rail service, not to maximize profits for a specific private business. The DEIS provides no real explanation for why a publicly-operated passenger rail service, or a public-private partnership, should not be considered. The DEIS also fails to explain why AAF could not operate on the CSX corridor, with investment in the tracks to speed the travel time. The DEIS states that AAF would have to "negotiate agreements for a shared use environment" with CSX (DEIS, p. 3-7), but that is exactly what AAF has done with FEC and presumably could do with the CSX. The subtext to this entire discussion in the DEIS is that the Federal Railroad Administration only wants to consider options which would maximize profits for AAF and its FEC affiliates. The agency should not lend more than a billion dollars for the specific purpose of maximizing profits at a single business, but given the refusal of the agency to consider obvious alternative routes along the CSX corridor, that is exactly what appears to be happening.

Second, the stated purpose includes "extending (in Phase II) the previously reviewed Phase I AAF passenger rail service between West Palm Beach and Miami," which is then used as justification for failing to consider alternative railway corridors. In a previous comment letter, we pointed out that it was a violation of NEPA to segment the review of the Miami to Orlando passenger rail service into two parts: Phase I between Miami and West Palm Beach, and Phase II between West Palm Beach and Orlando. NEPA requires agencies to consider the environmental impacts of connected actions together, not in pieces. 40 CFR § 1502.4(a) ("Proposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement."). By making the Phase I route decision in 2013 without considering Phase II, the agency has now predetermined that the southern terminus of Phase II must be the FEC station in West Palm Beach. This improperly forecloses the need for the agency to consider whether it would be better to have passenger service slightly west in the CSX corridor to Miami, and skip the FEC station in West Palm Beach entirely. It is improper for the agency to use this self-created constraint as the reason to dismiss an obviously viable alternative.

Third, the DEIS limits its evaluation to routes that connect in Orlando with the planned GOAA Intermodal Station at the Orlando airport, without giving any reason why passenger rail service that

December 3, 2014

connects in downtown Orlando, or elsewhere in the greater Orlando area, would not be a feasible or viable alternative. A train station at the Orlando airport will be far less convenient for many travelers than the existing CSX/Amtrak station located in Downtown Orlando. The purpose of the AAF Project, after all, is to allow riders to avoid going to the airport, rather than to take them there. By requiring the Orlando station to be located at the airport, the DEIS effectively requires the CSX corridor to build new track to connect to the airport, which increases costs and results in completely unnecessary environmental impacts to wetlands. It is completely improper to manipulate the statement of purpose and need so that an otherwise viable and environmentally benign alternative becomes too expensive and environmentally harmful.

In short, the statement of purpose and need in the DEIS is skewed in order to eliminate a range of viable alternatives and to predetermine that the FEC corridor, which just happens to be controlled by the same entity that controls AAF, would be chosen as the preferred alternative. Stated another way, the statement of purpose and need amounts to little more than a set of requirements necessary to enable a specific private party to realize a predetermined level of profit by using assets it already controls to the degree that it wants to use them. This is completely improper, and violates NEPA.

We recommend that the DEIS be revised to include an analysis of an alternative passenger rail corridor from Miami to Orlando along the existing CSX corridor, with a terminus at the Miami airport and in Downtown Orlando. To the extent that there are pros and cons of having the termini at different locations in each city, they can be addressed in a supplemental draft EIS.

b. The DEIS Should be Revised to Include Bridge Alternatives on the Loxahatchee and St. Lucie Rivers

Another flaw in the DEIS's evaluation of alternatives is the failure to include any alternatives to use of the existing Loxahatchee and St. Lucie River bridges. The proposed action includes the reconstruction and replacement of bridges along the FEC corridor north of the St. Lucie River. There is no reason why the DEIS could not also consider alternatives which would replace the Loxahatchee and St. Lucie River bridges with spans which would be less disruptive to marine navigation, either by being built higher above the water, having a wider drawbridge, or having faster opening and closing mechanisms. These bridges are more than 75 years old and approaching the end of their useful lives. It is clear to even a casual observer that these bridges are in very poor condition. Attached are photographs taken of the Loxahatchee River Bridge, which show its decrepit condition. According to Dana A. Goward, SES USCG (ret.) in comments to the United States Coast Guard ("USCG") on behalf of CARE Florida, the current bridges would not be permitted if the FEC sought to construct them today. In the context a billion dollar project, even the expenditure of millions of dollars to upgrade the bridges is a small price to pay to avoid unnecessary and unreasonable conflicts with marine navigation. By failing to consider bridge reconstruction alternatives, the DEIS forecloses the consideration options which could meaningfully reduce impacts to marine navigation interests. We recommend that the DEIS be revised to include alternative bridge options over the Loxahatchee and St. Lucie Rivers to address our serious concerns.

c. The DEIS Should be Revised to Include Alternatives Which Limit the Number of Passenger Trains Crossing the Bridges Each Day

The DEIS further predetermines the outcome of the agency's decision by only considering alternatives that involve 16 round-trip passenger trains per day. There is no explanation for why 16 round-trip passenger trains are necessary, or even desirable. The DEIS fails to consider whether something less than 16 round-trip passenger trains per day could fulfill the purpose and need. The DEIS also does to consider other operational alternatives which could minimize impacts to navigation, e.g., reducing the number of

December 3, 2014

trains on days and hours when navigation traffic is heaviest. Even if limited to the FEC corridor, alternatives involving 6, 8 or 10 round trip passenger trains per day would have far fewer marine navigation, noise and safety impacts. We recommend that the DEIS be revised to include an alternative which would limit the total number of daily trains, and/or vary their times during the day, to minimize impacts to marine navigation.

III. The Ridership and Revenue Study is Unreliable and Significantly Overstates the Need for the AAF Project.

The DEIS justifies the environmental impacts of the AAF Project based on the claim that many people will want to travel between Miami and Orlando via passenger trains. The passenger demand projections upon which this assertion is based are highly suspect. We are very concerned that the Federal Railroad Administration is considering lending AAF more than a billion dollars based on flawed projections of passenger demand. We recommend that the DEIS be revised to assume more realistic levels of likely passenger demand.

AAF's projections regarding future passenger demand are based on the Ridership and Revenue Study, Summary Report, dated September 2013 (the "RRS") which is attached as Exhibit 3.3-F to the DEIS. The RRS is deficient in its lack of detail and complete failure to evaluate, or even mention, the single most important factor in determining both ridership and revenue – price. Among the most basic economic principles is that price will have a major impact on demand. Yet, the RRS does not even mention price. Needless to say, any attempt to purportedly evaluate revenue without any consideration of the price to be paid for the goods or services at issue is contrary to basic economic principles.

AAF has been careful to avoid any public statements about ticket prices and even sued the Florida Department of Transportation to prevent that agency from revealing any such information to the public. It is strange for a service provider that touts the benefits of its service to go to such extremes to prevent potential customers from finding out the cost of its service. According to news reports based on AAF's bond offering documents, a coach ticket between Miami and West Palm Beach will be approximately \$30 each way, or \$60 round trip, during the first year of service. If that 70 mile trip will be \$30, or approximately \$0.43 per mile, it is reasonable to estimate that the 170 mile trip from West Palm Beach to Orlando will be approximately \$73 and that the 240 mile trip from Miami will be approximately \$103 per person each way. Accordingly, a round trip from Miami to Orlando (or vice versa) for a family of four will cost approximately \$824, which does not include the costs of transportation to and from the train stations in Miami and Orlando, and does not include parking at the departure station. Since the GOAA Intermodal Station near Orlando International Airport is miles away from any of the attractions that leisure travelers would go to in Orlando (and similarly distant from Downtown Orlando where business travelers are likely to go), such travelers likely will need to rent a car during their stay in Orlando, which will not only add to the cost of the trip. This will more than eliminate the meager time savings that AAF will offer as compared to driving. By comparison, for an average car that gets 28 mpg on the highway, that 480 mile round trip will cost approximately \$68.57 in gas at \$4.00 per gallon. That roundtrip will include approximately \$15 in tolls each way, thus bringing the round trip cost to slightly less than \$100. Thus, for the family of four, driving will cost approximately \$725 less even if one does not include the costs of renting a car or taking taxis in the destination city.

The market for AAF among solo business travelers is similarly limited. As indicated above, driving between Miami and Orlando costs approximately \$100 roundtrip in gas and tolls and takes approximately 3.5-4 hours, depending on one's ultimate destination. The train ride itself on AAF is expected to take approximately 3 hours and 10 minutes each way, and is expected to cost in excess of \$200 roundtrip. When one accounts for the additional time and cost of the full AAF experience, however, both the full

December 3, 2014

travel time and the full travel cost go up significantly. If one assumes that the traveler is starting from approximately 8 miles away from the departure station, that traveler would have to plan for the trip to the departure station to take approximately 20-30 minutes depending on traffic. Between parking and transferring bags from the car or taxi to the train station, one can assume an additional 5-15 minutes, at least. The traveler would also want to arrive at the train at least 15 minutes before departure in order to ensure he/she doesn't miss the preferred departure time and have to wait another hour for the next train. It is unclear how long it will take for the traveler to go purchase a ticket, check or load bags, and go through security, but it is reasonable to assume that will take at least 5-15 minutes. Once at the destination station, the traveler will need transportation to his/her actual destination, which for a business traveler is reasonably likely to be in the downtown area. A business traveler from Miami to Orlando will then need to either rent a car, which can be expected to take another 15-30 minutes plus another 15-20 minutes to drive or take a taxi for the approximately 12 miles from the GOAA Intermodal Station to Downtown Orlando. In total, these steps combine to add more than an hour to the full AAF trip, thus making it slower than simply driving. It also adds significant costs in the form of the taxi fare to or parking at the departure station and a rental car or taxi fare at the destination station.

While solo business travelers may be less price-conscious than leisure travelers and may be less inclined to drive, they can fly for approximately the same price but in less than half the time. As it is, there are not even that many air travel passengers. According to the RRS and data from the Greater Orlando Airport Authority ("GOAA"), in 2010 there were only 652 daily airport pair (both directions) passengers between Orlando and Fort Lauderdale and Miami combined. That translates to only 326 individual passengers. It is unclear how many of those travelers would prefer to pay roughly the same amount for a trip that takes twice as long on AAF, but it is difficult to imagine any significant market penetration. The DEIS projects that it will get only about 10% of its passengers from air travel. But even if one were to assume that AAF could capture every single one of those air passengers and distributed them among the 16 AAF roundtrip trains per day, it would account for only an average of 20 passengers per train.

As with local Florida family leisure travelers and business travelers, AAF is similarly impractical for leisure travelers from out-of-state or foreign countries. A certain percentage of out-of-state visitors drive to the Orlando area and South Florida and, for the reasons discussed above, are unlikely to take AAF, especially considering that would already have a car and clearly are not averse to long drives. Because neither South Florida nor Orlando have robust public transportation systems, a significant percentage of travelers who initially fly to either of those areas will rent a car. According to a December 2012 Florida Department of Transportation ("FDOT") report, a majority of domestic air visitors to Florida rented cars. <http://www.dot.state.fl.us/planning/trends/tc-report/tourism.pdf>. It is reasonable to assume that this number is even higher for those travelers with longer stays – the same travelers most likely to visit both the Orlando area and South Florida in a single trip. Because rental cars are typically cheaper to rent on a weekly basis, rather than a daily one, most visitors who rent a car probably rent it for the entirety of their stay. Once they have a rental car, driving between Orlando and South Florida is both cheaper and faster than AAF when one accounts for the full range of trip costs and time. This is especially true if one who takes AAF will still need to rent a new car in the AAF destination city in order to get around and visit the geographically disparate sights and attractions. Similarly, returning a rental car at the AAF departure station, even assuming convenient facilities exist for that, will add to the total trip duration. Moreover, renting separate cars in both the departure city and the destination city will subject such travelers to the myriad of one-time car rental fees for both car rentals.

The lack of economic viability of passenger rail is evident from the experience of Amtrak and other passenger rails projects around the world. Amtrak has not been profitable for a very long time, particularly with ridership in Florida. A recent study attempted to showcase the progress Amtrak has

December 3, 2014

made but the results only confirmed the very limited chance of any passenger rail project in Florida being profitable. According to the study, only ten metropolitan areas are responsible for almost two-thirds of Amtrak ridership. These ten areas also were the only metropolitan areas to generate over a million “boardings.” Florida did not have one of those ten metropolitan areas. The Miami-Fort Lauderdale-Pompano Beach area in Florida has six active stations and still only accounted for 0.5% of Amtrak’s 2012 ridership share (300,357 boardings in 2012). Although the study reports “Amtrak boasts 75% of the share of the passenger rail/aviation market between New York and Washington,” data from the Bureau of Transportation Statistics shows that “Amtrak holds a market share for intercity travel in the Northeast Corridor (NEC) of well under 2%.” The percentage included in the study omits both passenger-car and intercity bus-passenger miles. Even though the NEC is Amtrak’s best corridor, it has been unable to sell more than half the capacity it currently offers. Overall, Amtrak carries just 0.36% of intercity passenger travel today, compared with 0.45% in 1991. Other data reveals that Amtrak does not even begin to compete with other modes of transportation. The DOT’s Bureau of Transportation Statistics published a report in 2004, quantifying the extent of federal subsidy per passenger mile (from 1990 to 2002) for each mode of intercity passenger travel (not including intercity bus). The report showed Amtrak had a federal subsidy of \$186 per thousand passenger miles, while airlines only had \$6 per thousand passenger miles and highways had a negative \$2 per thousand passenger miles (more highway-user taxes were collected than spent on highways).

The State of Florida has previously recognized the lack of economic viability for passenger rail in Florida. In 2011, Governor Scott cancelled the Tampa to Orlando segment of Florida’s high-speed rail project stating that “like the vast majority of passenger rail lines, [the Florida project] w[ould] not be economically sustainable.” If the capital costs to complete the Tampa to Orlando high-speed rail project exceeded projections, Florida taxpayers would have had to pay the difference. Governor Scott further added that “the proposed high-speed rail line [was] far too uncertain and offer[ed] far too little long-term benefit for me to consider moving forward and ultimately putting taxpayers at risk during an already challenging fiscal climate.”

In addition to the basic lack of demand for rail services in the southern portion of Florida, transportation project costs, especially for passenger rail projects, are often underestimated. A study examining 258 transportation infrastructure projects around the world found that in almost 90% of the cases, costs were underestimated and annual costs on average were 28% higher than estimated. Rail projects were the most severely underestimated, costing on average 45% more than originally estimated. High-speed rail projects are often deliberately underpriced for political reasons. In 2008, the California High-Speed Rail Authority (CHSRA) proposed to build a rail line that would allow trains to reach speeds of up to 220 mph. The project consists of two-phases, with a Los Angeles to San Francisco line to be built during phase one and a San Diego to Sacramento line to be built during phase two. In 2009, CHSRA initially estimated the costs of building (for phase one alone) to be \$36.4 billion (in 2010 dollars). In 2012, CHSRA gave a revised estimate cost of between \$53.4 and \$62.3 billion (in 2011 dollars). The business plan also proposed that nearly two-thirds of the construction funding would come from the federal government.

The cost-effectiveness of high-speed rail projects depends on whether they can achieve high ridership levels. Estimates of the level of ridership needed to justify the cost (including the cost of building tracks) of a high-speed line similar to those outside of the United States range from 6 million to 9 million riders in the first year. Amtrak’s current high-speed service (the Acela), which began operating in the most densely populated corridor in the United States, carried only 3.3 million passengers in 2013. Incredibly, the DEIS assumes that AAF, operating as a new service in a far less densely populated and far more car-dependent area, will exceed the 3.3 million passengers in the Northeast Corridor within just a few years.

December 3, 2014

The DEIS provides no justification for the assumption that AAF will generate higher ridership than the busiest rail corridor in the United States. Without such a justification, AAF's estimates simply lack credibility. Additionally, actual ridership numbers on passenger rail projects have averaged 39% below forecasted levels. Investment-grade ridership forecasts often suffer from optimism bias. An example is the Las Vegas Monorail, where an investment-grade ridership study was so inaccurate that investors suffered nearly total losses. Ridership and revenue in the Las Vegas monorail fell to 75% below forecast and the project filed for bankruptcy in 2010 (six years after opening). At the end of the 2010 fiscal year, there was a deficit of \$382 million, although it was projected to have a \$95 million surplus for the first six full fiscal years of operation.

Of the many high-speed routes in the world, it is thought that only two (in France and Japan) have earned enough revenue to cover both their infrastructure and operating costs. Compared to the United States, countries with high-speed rail systems have higher population densities, smaller land areas, lower per capita levels of car ownership, higher gasoline prices, lower levels of car use and higher levels of public transportation availability and use. To make matters worse, South and Central Florida are on the far end of the spectrum even among areas of the United States in terms of levels of car ownership, levels of car use and lack of public transportation availability. Additionally, in most of those countries where high-speed rail has been viable, it was implemented by state-owned or state-supported rail infrastructure companies and operated by state-owned rail companies whose principal business is passenger transportation. In the United States, on the other hand, the rail network is almost entirely owned by private companies whose principal business is freight transportation. In the United States, it is difficult to argue that any high-speed line beyond the Northeast Corridor stands a chance of paying for itself. All intercity passenger operations in the U.S. except Amtrak's Acela service are subsidized (in the sense that federal and state governments supplement revenues from ticket sales) as revenues are insufficient to cover operating costs and administrative expenses. Even with generous subsidies, travelling by high-speed rail is more expensive than flying for 12 of the 23 most popular high-speed routes in the world. Additionally, New York is the only city in the U.S. that has a transit system that can shuttle enough people to a high-speed rail station. Most cities would have to build large parking garages to have enough ridership for the high speed rail, assuming there is a strong ridership demand. Statistics show that riders who begin their commute by car are more likely to drive or fly than riders who begin their commute by transit.

The lack of demand for rail travel between Miami and Orlando is clear from the very limited demand for Amtrak's service between those two cities. Amtrak offers daily train service between these cities on its Silver Meteor, but there is not enough demand for the Silver Meteor to justify more than one trip per day, despite the fact that it serves not only passengers between Miami and Orlando, but passengers between more than 20 cities along the east coast of the United States. Amtrak's service between Miami and Orlando has not shown signs of profitability -- the U.S. government has to cover almost all of Amtrak's capital costs as well as 10% of its operating costs. Amtrak is not even close to operating passenger rail on its own revenue; let alone cover any capital costs or debt. Additionally, capital cost overruns are pervasive, occurring in 9 out of 10 projects. This was the case in New Jersey, where the state was billed by the federal government to return federal grants related to a tunnel project that was cancelled by Governor Christie due to project cost overruns that would have had to be paid by state taxpayers.

According to the DEIS (p. S-9), AAF expects to divert only 2-4% of Amtrak's annual South Florida ridership, which amounts to approximately 31,000 annual trips in 2019. With 11,680 trips per year (32 trips per day, 365 days per year), this means that AAF expects less than three (3) passengers per train trip to come from Amtrak ridership. In other words, even among the very few people in South and Central Florida who have shown any inclination to travel by rail, AAF expects its market penetration to be miniscule.

December 3, 2014

As a group of taxpayers, the Association believes that it is critically important that the federal government not lend money to a private business unless it the government is absolutely sure the money will be repaid. Since the entire economic basis of this project relies on these questionable passenger demand projections, we recommend that the DEIS be revised to include more accurate and realistic assumptions to determine whether the project is truly viable.

IV. The DEIS Fails to Show that There are No Practicable Alternatives to the Destruction of Wetlands, as Required by the Clean Water Act Section 404(b)(1) Guidelines

The DEIS is also flawed in its failure to demonstrate the absence of any practicable alternatives to the destruction of wetlands, as required by the Clean Water Act. The proposed project will impact more than a hundred acres of protected wetlands and will require a Section 404 permit from the United States Army Corps of Engineers ("USACE" or the "Corps"). The presence of these important wetlands requires that, among other things, AAF demonstrate that the proposed project complies with the United States Environmental Protection Agency's ("EPA") Section 404(b)(1) Guidelines, set forth in 40 C.F.R. Section 230 (hereinafter the "404(b)(1) Guidelines"), including its requirement that the applicant demonstrate that the proposed project is the least environmentally damaging practicable alternative to achieve the purpose of the project. 40 C.F.R. § 230.10(a) (a permit will not be issued "if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences"). Where, as here, the proposed project is not water dependent, the Corps presumes that practicable alternatives exist to discharge to a special aquatic site such as wetlands. 40 C.F.R. § 230.10(a)(3); 40 C.F.R. § 230.41 (wetlands are a type of special aquatic site). This presumption implements the Corps' policy that "from a national perspective, the degradation or destruction of special aquatic sites, such as filling operations in wetlands, is considered to be among the most severe environmental impacts covered" by the 404(b)(1) Guidelines. In order to rebut this strong presumption, the applicant must clearly demonstrate that there are no practicable alternatives that will not cause a discharge into a wetland.

There is nothing water-dependent about the proposed project. Thus, in order to satisfy the 404(b)(1) Guidelines, AAF must clearly demonstrate that there are no practicable alternatives to the proposed project. There is no such showing in the DEIS. More importantly, there are practicable alternatives which would avoid all wetland impacts. Using the existing Amtrak route along the CSX corridor would require no wetland impacts. This is especially true if the project purpose is revised to eliminate the false requirement that the Orlando station be located at the Orlando airport, and allow consideration of the existing Amtrak station in Downtown Orlando. Although the DEIS assumes that CSX would not be willing to enter into reasonable agreements to share freight and passenger traffic on the CSX line, it does not provide that or provide any factual support for it. Moreover, the fact that AAF does not already own the right to operate on the CSX corridor is irrelevant: "If it is otherwise a practicable alternative, an area not presently owned by the applicant which could reasonably be obtained, utilized, expanded or managed in order to fulfill the basic purpose of the proposed activity may be considered." 40 CFR § 230.10(a)(2). The DEIS similarly assumes that the logistics associated with the CSX line would prevent it from delivering a fast enough rail service, but provides no real factual support for that assumption. Because alternatives involving the CSX corridor have not been considered or evaluated in the DEIS, AAF cannot demonstrate that they are not practicable alternatives. The failure of the DEIS to clearly demonstrate that there are no practicable alternatives to the destruction of wetlands with AAF's proposal draws into question the ability of the USACE to issue required permits.

The DEIS indicates that AAF has not yet submitted its application for Section 404 authorization to USACE and that USACE will complete its Section 404(b)(1) Guidelines analysis and public interest

December 3, 2014

review in its record of decision following publication of the Final EIS. This is inappropriate. No justification is given for why this required analysis of practicable alternatives under Section 404(b)(1) is excluded from a NEPA document that is required to evaluate alternatives. Indeed, the USACE's regulations provide that the analysis of practicable alternatives for purposes of the Section 404(b)(1) Guidelines typically will take place in an EIS. 40 CFR § 230.10(a)(4). We recommend that the agencies issue a supplemental draft EIS which addresses this issue in depth so that the public can provide input.

V. The Section 4(f) Evaluation in the DEIS is Inadequate and Unreliable

Section 4(f) of the U.S. Department of Transportation Act provides protection for publicly owned parks, recreation areas, wildlife refuges and historical properties or archeological sites and permits approval of transportation projects that require the use of these protected areas only if there is no prudent and feasible alternative to using that land and the project includes all possible planning to minimize harm to such area. A "use" of such protected areas includes a constructive use, which occurs when the project's proximity impacts cause the attributes of such areas that qualify them for protection are substantially impaired or diminished.

The DEIS concludes that the Project will result in a Section 4(f) use with respect to the demolition of two historic bridges, the Eau Gallie River Bridge and the St. Sebastian River Bridge, but fails to consider as potentially prudent and feasible alternatives the use of the CSX corridor instead of the FEC corridor. As discussed above, alternatives routes were improperly eliminated from consideration based on the skewed and outcome-determinative statement of purpose and need. This has the result of elevating AAF's commercial interests and profitability over the goals and purposes of Section 4(f), which is precisely what Section 4(f) is intended to avoid.

The Section 4(f) evaluation also fails to properly evaluate the use of the Hobe Sound National Wildlife Refuge, Jonathan Dickinson State Park, and the Savannas Preserve State Park which are among the thirty Section 4(f) recreation resources along the N-S Corridor of the Project. These parks and other areas adjacent the tracks north of Tequesta are the home to endangered species, including the Florida Scrub Jay. The Project bisects these and other important natural areas and will subject them to vastly increased noise and vibration levels as well as the risk of increased wildlife kills. The FEC tracks through these parks will change from lightly-used corridor of slowly moving freight trains, to a heavily-traveled rail artery with high speed trains flying by on an hourly basis. The DEIS fails to discuss these issues in any detail, does not discuss how the addition of frequent high speed trains will affect the endangered scrub jay or other endangered species, and instead summarily concludes that the Project would not use these resources. Further study and evaluation is necessary with respect to whether the 32 additional trains will cause a Section 4(f) use of these resources and, if so, whether any prudent and feasible alternatives exist.

* * *

Thank you for being willing to consider the Association's comments on the DEIS. Once again, in light of the significant harm to marine navigation threatened by the AAF Project, and the multiple flaws in the DEIS, we recommend that the agencies issue a supplemental draft EIS.

December 3, 2014

The supplemental draft EIS should address the concerns we have raised, and provide for additional public comment on the expanded discussion of alternatives and impacts, before the agency finalizes the EIS.

Sincerely,



Neal McAliley

cc: U.S. Coast Guard, Seventh Coast Guard District (via Email: USCGD7DPBPublicComment@uscg.mil)

Attachment

Photograph of Loxahatchee River Bridge



Photograph of Loxahatchee River Bridge



Photograph of Loxahatchee River Bridge



Photograph of Loxahatchee River Bridge



Photograph of Loxahatchee River Bridge



**Comments of CARE FL on the Federal Railroad Administration's
Draft Environmental Impact Statement and Section 4(f) Evaluation
for the All Aboard Florida Intercity Passenger Rail Project**

December 2, 2014



Mr. Stephen M. Ryan, Esq.
CARE FL Legal Counsel
McDermott Will & Emery LLP
500 North Capitol Street, NW
Washington, DC 20001
202.756.8333
sryan@mwe.com

Mr. Bill Ward, Chairman
CARE FL Steering Committee
Mariner Sands Country Club
Stuart, FL
772.419.5321
bward@marinersands.com

Mr. Jacob Hollinger, Esq.
CARE FL Legal Counsel
McDermott Will & Emery LLP
340 Madison Avenue
New York, NY 10173
212.547.5834
jhollinger@mwe.com

Mr. Brent Hanlon, Treasurer
CARE FL Steering Committee
Loblolly
Hobe Sound, FL
772.545.2574
bhanlon@mail.loblollyinfo.com

Table of Contents

I.	INTRODUCTION	1
A.	THE FRA SHOULD PREPARE A SUPPLEMENTAL DEIS.....	1
B.	SUBSTANTIAL MITIGATION EFFORTS SHOULD BE IMPLEMENTED IF THE PROJECT GOES FORWARD.....	3
C.	THE AGENCY MUST ALSO CONSIDER MANY OTHER ISSUES	4
II.	BACKGROUND	4
A.	CARE FL.....	4
B.	AAF AND THE PROJECT	4
C.	THE FRA’S OBLIGATIONS UNDER NEPA.....	5
III.	THE DEIS DOES NOT SATISFY NEPA.....	6
A.	THE DEIS PROVIDES AN INADEQUATE ANALYSIS OF NAVIGATION IMPACTS	6
B.	THE DEIS PROVIDES AN INADEQUATE ANALYSIS OF CLIMATE-RELATED RISKS	34
C.	THE DEIS OMITTS CRITICAL INFORMATION ABOUT THE PROJECT	35
D.	THE DEIS PROVIDES AN INADEQUATE ANALYSIS OF THE PROJECT’S SAFETY IMPACTS	39
E.	THE DEIS FAILS TO ANALYZE PRACTICABLE ALTERNATIVES THAT WOULD NOT DETRIMENTALLY IMPACT NAVIGATION, SAFETY, AND THE ENVIRONMENT	43
F.	THE DEIS FAILS TO ADEQUATELY ASSESS CONSTRUCTION IMPACTS	44
G.	THE DEIS FAILS TO ADEQUATELY ANALYZE THE PROJECT’S INCREASED NOISE AND VIBRATION AND THE IMPACTS ON LOCAL COMMUNITIES	44
H.	THE DEIS IMPROPERLY EXCLUDED LOCAL AUTHORITIES FROM NATIONAL HISTORIC PRESERVATION ACT CONSULTATION.....	44
I.	THE DEIS FAILS TO CONSIDER THE PROJECT’S IMPACTS ON COMMUNITY REDEVELOPMENT AREAS.....	45
J.	THE DEIS BASES ITS ENDANGERED SPECIES ANALYSIS ON INCOMPLETE OR INADEQUATE WILDLIFE DATA.....	45
IV.	IF THE PROJECT GOES FORWARD, THE FRA MUST ENSURE THAT APPROPRIATE AND MEANINGFUL MITIGATION MEASURES ARE TAKEN.....	45
V.	CONCLUSION.....	46
VI.	APPENDIX.....	47

I. INTRODUCTION

Citizens Against Rail Expansion in Florida (“CARE FL”) welcomes this opportunity to submit comments to the Federal Railroad Administration (“FRA” or “the Agency”) concerning the FRA’s September 2014 draft environmental impact statement (“DEIS”) for the proposed All Aboard Florida (“AAF”) Orlando to Miami Intercity Passenger Rail Project (“the Project”). CARE FL is a coalition of South Florida and Treasure Coast community leaders, organizations, and residents devoted to protecting the safety, welfare, and way of life of the more than 10 million people living in and around the areas that will be impacted by the Project.

The ill-conceived Project threatens unacceptable adverse impacts on the safety and welfare of the communities, families and businesses of coastal Florida. Notably, the Project will create new and totally unacceptable safety risks. The Project will run high-speed passenger trains through densely populated coastal communities, and in the same right-of-way there will be a sharp increase in the number of freight trains carrying toxic materials. It will profoundly disrupt the region’s recreational and commercial boating activities in navigable waterways. Yet those two topics receive totally inadequate analysis or candor in the DEIS. The DEIS fails to adequately compare the Project with reasonable alternatives – alternatives that do not create such hazardous safety, environmental, and economic impacts.

As discussed at length below, the DEIS does not satisfy the FRA’s obligations under the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4332 *et seq.*, its implementing regulations or applicable Council on Environmental Quality (“CEQ”) guidance materials. At a bare minimum, the FRA must do significantly more work to evaluate the potential impacts of the project – direct, indirect and cumulative – and to evaluate appropriate mitigation measures for those impacts.

A. THE FRA SHOULD PREPARE A SUPPLEMENTAL DEIS

NEPA serves two purposes: (1) ensuring that federal agencies carefully consider information about significant environmental impacts; and (2) guaranteeing that relevant information is made available to the public. *See, e.g., Northern Plains Resource Council, Inc. v. Surface Transportation Board*, 668 F.3d 1067, 1072 (9th Cir. 2012). The existing DEIS for the Project fails to fulfill either purpose. More specifically, the DEIS is defective for at least five reasons:

1. *Inaccurate and Inadequate analysis of navigation impacts.* The DEIS glosses over and does not contain any of the significant and material detrimental impacts the Project will have on marine navigation. As this set of comments demonstrates, the DEIS fails to engage in a meaningful discussion of potential navigation-related mitigation measures. Most notably, the DEIS fails to recognize the significant navigation-related problems caused by the Project utilizing the existing St. Lucie River, Loxahatchee, and New River bridges, and fails to engage with the manner in which those existing problems will be worsened by the Project. These issues are discussed at length in Section [III.A] below and include the observations of Mr. Dana A. Goward, a retired Senior Executive Service

official and retired Captain in the U.S. Coast Guard who was previously responsible for the permitting and regulation of more than 18,000 bridges.

2. *Inadequate analysis of climate-related risks.* The DEIS recognizes that changing climate conditions pose a threat to the Project's rail corridor and bridges but contains no discussion of (a) how that threat affects the economic assumptions underlying the Project; (b) how that threat affects the FRA's analysis of the Project's safety impacts; and (c) climate resiliency measures that should be implemented as part of the Project (should it go forward). The DEIS fails to adequately evaluate the alternative inland route that is not as susceptible to the effects of rising sea level and storm surges as the coastal floodplain chosen for the Project.

3. *Missing information about the Project.* The DEIS environmental analysis is premised entirely on claims of how many people will ride the train and corresponding claims of environmental benefit related to reductions in automobile trips. However, neither the agency nor AAF has made available any version of the corollary cost and business model assumptions that underlie the FRA's assertion that the Project is commercially viable and, therefore, preferable to the various alternatives discussed (and dismissed) in the DEIS. As such, the DEIS provides no assurance that the FRA has examined those assumptions and deprives the public of the opportunity to assess the commercial viability of the Project. AAF clearly has a range of potential ticket prices – it privately distributed this information to prospective bond holders – but its website and the DEIS fail to disclose any ticket price information to the public. Without seeing information on ticket prices, the public cannot meaningfully compare the Project to alternative forms of transportation. Thus, the DEIS's assumption that a significant portion of the public will choose the Project over driving automobiles is arbitrary. The Agency should issue a supplemental DEIS that provides a range of ticket prices and rigorously explores whether those prices are high enough for AAF to pay back its investors and low enough to attract enough riders to justify the Project's claimed environmental benefits.

4. *Inadequate analysis of safety impacts.* The Project will more than triple the number of trains (and dramatically increase the speed of those trains) passing through nearly 350 at-grade road crossings traversed by tens-of-thousands of cars and numerous pedestrians each day, along a rail corridor where trespassing, in the words of one FRA engineer, is “epidemic” and which faces increasing risk of damage from rising sea levels and changing climate conditions. Yet all the DEIS says about the safety risks posed by the Project is that “opportunities for conflict” between trains and people or vehicles “may” increase and that vague, unspecified “improvements” “would minimize potential conflicts and their consequences.” DEIS at S-17; *see also* DEIS at 5-133 to 5-137 (discussing public safety). Such an utterly conclusory analysis in no way satisfies the FRA's obligation to assess the public safety impacts of the Project or to discuss mitigation of those impacts. Instead, the FRA must prepare a supplemental DEIS that contains reasonable

projections of the nature, extent, and frequency of safety problems that may occur as a result of the Project, along with a meaningful discussion of mitigation measures for those problems. The DEIS also ignores memos prepared by the FRA's own staff earlier than the DEIS that directly address these issues.

5. *No meaningful alternatives analysis.* The DEIS's overly narrow purpose of the Project – its claimed commercial viability for AAF – resulted in a premature dismissal of reasonable alternatives. “The heart of the environmental impact statement” rests in the alternatives analysis. 40 C.F.R. 1502.14. An EIS is supposed to “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their *comparative* merits.” 1502.14(b) (emphasis added). The alternative routes, specifically the inland CSX route, do not pose the same hazardous risks to maritime navigation, safety, and the environment. But as discussed throughout these comments, the DEIS does not provide sufficient information on these critical issues and does not engage in a meaningful analysis of the alternatives to the Project.

To fulfil its NEPA obligations, the FRA should prepare a supplemental DEIS that addresses all of the issues outlined above and discussed in greater detail in the body of these comments. Equally important, the FRA should use the supplemental DEIS to develop a more comprehensive set of mitigation measures for the Project's impacts and should propose a mitigation monitoring plan. It is not enough for the FRA to say (for example) that safety “recommendations” will be made at some unspecified time in the future, as the Agency does on page 5-134 of the DEIS. Instead, the FRA should put forth a document for public comment that both predicts what might happen as a result of the Project and identifies specific, realistic measures that can be taken to mitigate those impacts. That is what NEPA requires.

B. SUBSTANTIAL MITIGATION EFFORTS SHOULD BE IMPLEMENTED IF THE PROJECT GOES FORWARD

In the event the FRA decides to publish a final environmental impact statement for the Project without first publishing a supplemental DEIS – which it should not do – the FRA must, at a minimum, ensure that the final EIS contains a comprehensive list of appropriate mitigation measures, along with a plan for monitoring the implementation of those measures. Among the many mitigation measures the Agency needs to consider are the following:

- Replacement of the St. Lucie, Loxahatchee and New River bridges with higher, more modern, safer bridges that do not adversely impact navigation as the current bridges do, and do not create adverse noise, vibration or visual impacts on the surrounding communities.
- Implementation of a full suite of rail-related safety measures including, but not limited to, the creation of a sealed corridor at all at-grade crossings and the installation of pedestrian gates at those locations where sidewalks are present on either side of the rail line.

C. THE AGENCY MUST ALSO CONSIDER MANY OTHER ISSUES

CARE FL has focused its comments on the areas where it can provide special insights based on the direct adverse impacts that the Project will have on its members. But the Project raises many other concerns that the Agency must also consider and address. In particular, CARE FL adopts, and incorporates by reference, the well-considered comments submitted by the Board of County Commissioners of Indian River County, Florida (the “Indian River County Comments”) and those submitted by Martin County, Florida (the “Martin County Comments”). CARE FL also urges the Agency to carefully review all of the comments submitted as part of the public comment process, as public transparency about the Project is one of CARE FL’s primary concerns and should also be a priority for the FRA.

II. BACKGROUND

A. CARE FL

CARE FL is a coalition of concerned community leaders, organizations and neighbors in South Florida and the Treasure Coast. Our group continues to grow and includes the following homeowners associations: Admiral’s Cove in Jupiter, FL; Loblolly in Hobe Sound, FL; Mariner Sands Country Club in Stuart, FL; Jonathan’s Landing in Jupiter, FL; Frenchman’s Creek in Palm Beach Gardens, FL; and Frenchmen’s Reserve in Palm Beach Gardens, FL. Protecting the safety, welfare and way of life for the families, businesses and retirees who live in and around our communities is our goal. We also care about transparency and are seeking open and honest discussions on the costs, benefits and risks of rail expansion in Florida.

We are opposed to the combined proposed passenger and freight rail expansion because we believe, based on facts and a commonsense understanding of the reality of life with trains – and waterways, causeways, drawbridges and other infrastructures that define day-to-day life in South Florida – that rail expansion in the corridor chosen by AAF will have a significant and negative impact on our communities. When we refer to “our communities” we mean that expansively, as more than 10 million people live in and around the areas that will be affected by the proposed rail expansion.

B. AAF AND THE PROJECT

All Aboard Florida – Operations LLC is a subsidiary of New York hedge fund Fortress Investment Group. Although AAF is seeking at least \$1.6 billion in financial support from the FRA’s Railroad Rehabilitation and Improvement Financing (“RRIF”) program, it has also indicated that intends to fund the Project through \$1.75 billion in Private Activity Bonds (“PABs”). AAF released a preliminary bond offering memorandum to potential *investors* in June 2014 but has failed to disclose any economic information that would be useful to potential *riders*.¹

¹ AAF has sued various state agencies and a Florida citizen to prevent the public disclosure of its ridership study and ticket price information. See Arnie Rosenberg, *All Aboard Florida files suit to block agencies from releasing 'sensitive' documents*, **TCPalm** (Jun. 16, 2014), <http://www.tcpalm.com/franchise/shaping-our-future/our-roads/all-aboard-florida-files-suit-blocking-agencies>. We believe that this is reprehensible. This information is critical for the

The DEIS indicates that AAF has articulated two purposes for the Project. The first is “to provide reliable and convenient intercity passenger rail transportation between Orlando and Miami, Florida . . . by maximizing the use of existing transportation corridors.” DEIS at S-5. AAF claims that “[t]his transportation service would offer a safe and efficient alternative to automobile travel on congested highway corridors, add transportation capacity within those corridors (particularly Interstate 95 [I-95]) and encourage connectivity with other modes of transportation such as light rail, commuter rail and air transportation.” *Id.* The second purpose of the Project is to “provide intercity passenger rail service that addresses South Florida’s current and future needs to enhance the transportation system by providing a transportation alternative for Floridians and tourists” *Id.*

More importantly, the DEIS indicates that AAF’s primary “objective” “is to provide an intercity rail service that is sustainable as a private commercial enterprise.” *Id.* (emphasis added). That “objective” has two components: (1) providing “a reliable and efficient intercity rail service between Orlando and Miami with an approximate 3-hour trip time,” and (2) providing intercity rail service that is “sustainable as a private commercial enterprise,” with “sustainable” meaning that it “can attract sufficient riders to meet revenue projections and operate at an acceptable profit level.” *Id.*

As discussed more fully in Section III below (“The DEIS Does Not Satisfy NEPA”), the DEIS fails to carefully examine whether the Project can in fact meet either of AAF’s objectives and often reads as if AAF’s convenience, building schedule and profit potential are more important than any other pertinent considerations, such as safety and navigation of the waterways.

C. THE FRA’S OBLIGATIONS UNDER NEPA

NEPA and its implementing regulations require federal agencies to take a “hard look” at the direct, indirect and cumulative impacts of those federal actions that have a significant impact on the human environment. *See* 40 C.F.R. §§ 1508.7, 1508.8 & 1508.25(c); *N. Plains Res. Council, Inc. v. Surface Transp. Bd.*, 668 F.3d 1067, 1075 (9th Cir. 2012). A “hard look” means, among other things, that the agency must discuss adverse impacts without improperly minimizing them. *See Native Village of Point Hope v. Jewell*, 740 F.3d 489, 494 (9th Cir. 2014). In addition, while agencies need not “foresee the unforeseeable,” they are required to engage in “reasonable forecasting and speculation.” *Delaware Riverkeeper Network et al. v. FERC*, 753 F.3d 1304, 1310 (D.C. Cir. 2014) (citations omitted). Agencies must also “either obtain information that is ‘essential to a reasoned choice among alternatives’ or explain why that information is too costly or difficult to obtain.” *Native Village*, 740 F.3d at 493 (quoting 40 C.F.R. § 1502.22). The agency must also carefully examine the environmental impacts of reasonable alternatives, including a no-action alternative. *See* 40 C.F.R. § 1502.14. The agency must also provide a full and fair discussion not only of anticipated significant environmental impacts, but also of measures that would avoid or minimize those impacts. *See* 40 C.F.R. § 1502(c). Finally, a central purpose of NEPA is to ensure that the public is fully informed about the impacts that a proposed action will have. *See* 40 C.F.R. §1502.1. Thus, where a draft

public to evaluate the Project. Because of AAF’s lawsuit this information is not included in these comments, but we firmly believe that the Agency should make it part of the record for the public to view.

environmental impact statement fails to provide sufficient information to allow for a meaningful analysis of those impacts, the agency must prepare and circulate a revised draft discussion of the relevant issues. *See* 40 C.F.R. § 1502.9(a).

III. THE DEIS DOES NOT SATISFY NEPA

A. THE DEIS PROVIDES AN INADEQUATE ANALYSIS OF NAVIGATION IMPACTS

The DEIS either ignores or glosses over the detrimental impacts the Project will have on marine navigation. As a result, the DEIS also fails to provide a meaningful discussion of the potential mitigation measures for those adverse impacts.

Below, CARE FL focuses on three navigation-related concerns that the FRA appears to have overlooked entirely and which should be addressed in a supplemental DEIS. Those concerns are:

- (1) The poor existing state of the St. Lucie and Loxahatchee bridges and the ways in which the Project will compound the existing navigation problems created by those bridges;
- (2) Profound flaws in the methodology the FRA has used to examine the Project's navigation impacts at the St. Lucie, Loxahatchee and New River bridges; and
- (3) The multiple adverse environmental impacts that will stem from the boating delays and queues that the DEIS (even with its flawed methodology) recognizes the Project will cause.

Importantly, we have included in our discussion of the first topic the observations of former U.S. Coast Guard Captain Dana A. Goward. Captain Goward is a former Senior Executive Service official in the U.S. Coast Guard who was responsible for the permitting and regulation of over 18,000 bridges. As Captain Goward's observations make clear, the FRA should not approve the Project as it is currently conceived but should instead either reject the Project or, at a bare minimum, require significant revisions to AAF's handling of the St. Lucie, Loxahatchee and New River bridges. Captain Goward also provided input with respect to the comments below on the second and third topics.

1. The DEIS Fails to Address the Significant Flaws in the St. Lucie, Loxahatchee and New River Bridges

A central – and highly troubling – feature of the Project is that it will retain the existing St. Lucie and Loxahatchee bridges, despite the fact that both bridges are nearly 80 years old and already significantly impede navigation. *See* DEIS at S-9 to S-10 (explaining that there will be no changes to the structure or dimensions of either bridge); *id.* at 5-24 (noting that even without the Project 25% of the boats arriving at the Loxahatchee bridge experience delays). Indeed, the

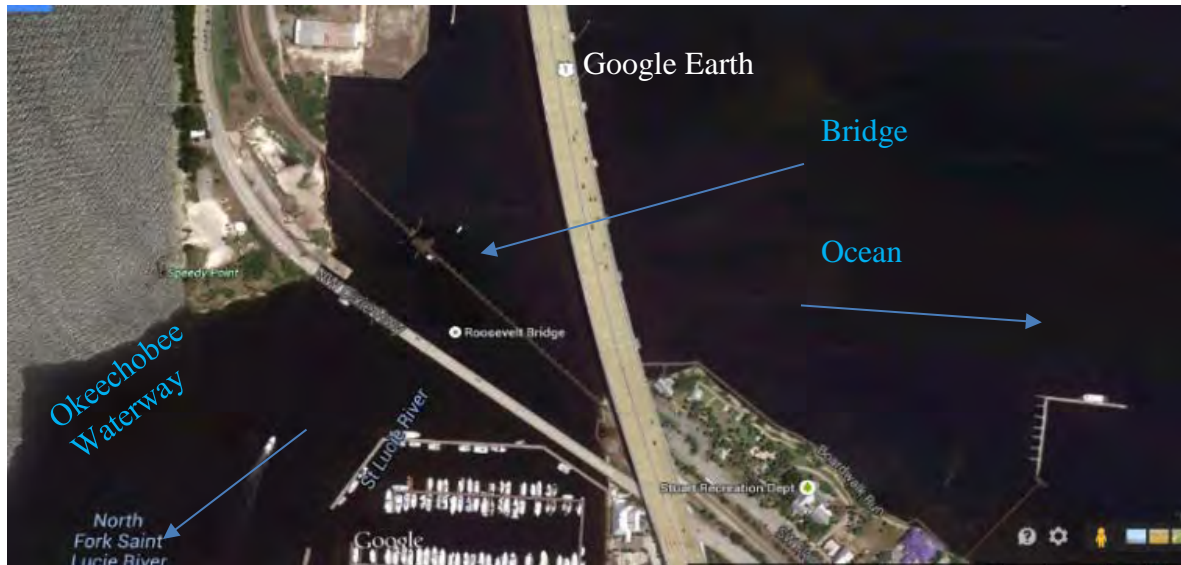
Project will actually cause *additional* delays at each bridge. DEIS at 5-21 & 5-24 (predicting that the Project will cause delays for 42% of the boat traffic at each bridge, significantly more than under the no-action alternative).

It is highly unlikely that neither the St. Lucie bridge nor the Loxahatchee bridge would be permitted today. Both bridges are more than 75 years old and local navigation needs have increased dramatically during that time. The existing bridges already negatively and unreasonably impact waterway traffic and those negative impacts will only be compounded by the Project, which will result in many additional bridge closings each day. Moreover, both bridges are also in advanced state of decay, which raises significant concerns about the safety of rushing more than 30 new high speed passenger trains over them each day. And those safety risks are compounded by changing climate conditions. As the FRA recognizes, changing climate conditions may lead to more frequent bridge closings. *See* DEIS at 5-75. The FRA needs to incorporate that important insight into its analysis of whether it is appropriate for the Project to retain the rusty and corroded St. Lucie and Loxahatchee bridges. Similar concerns exist for the New River Bridge.

Included below are Captain Goward's observations about each bridge. His comments make clear that: (a) the three bridges should be replaced in their entirety with new bridges that are not unreasonably obstructive of navigation, and (b) in the interim, strict, highly predictable scheduling of bridge openings and closings should be implemented.

Comments of Captain Goward

a) St. Lucie Bridge Operations



Summary:

Changes in rail traffic and maritime activity since 1938 have caused the Florida East Coast Railroad bridge at Stuart over the St. Lucie River to become an unreasonable obstruction to navigation.

The St. Lucie Bridge (also referred to as the “Stuart Bridge”) must either be completely removed or replaced with one that is not unreasonably obstructive.

In the interim, strict, highly predictable, long term scheduling of bridge openings and closings must be instituted to mitigate obstruction of the waterway.



Background:

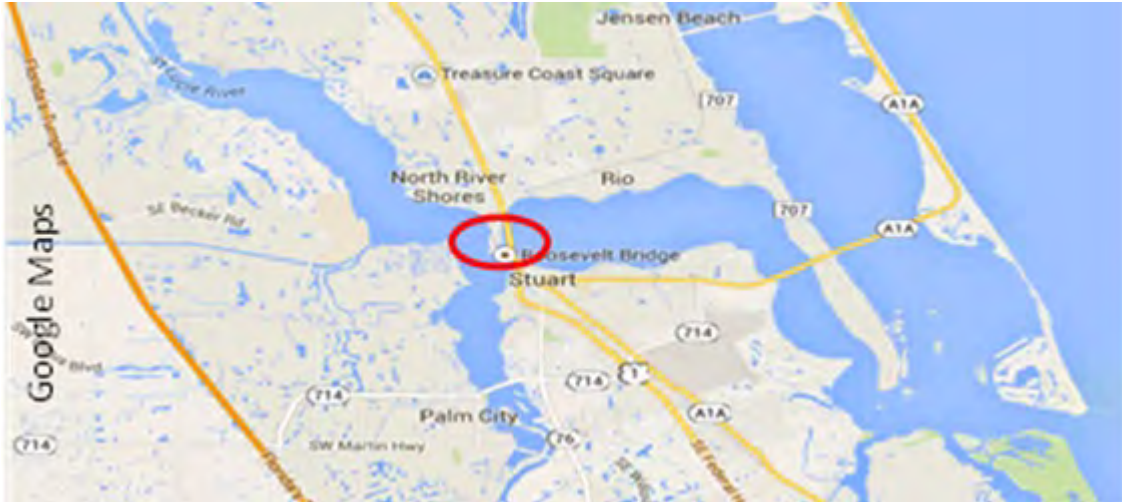
Waterway Description & Navigation Considerations

The waterway connects the communities of Palm City, Port St. Lucie, parts of Stuart, and the Okeechobee Waterway to the Atlantic and the north-south portion of the intra-coastal waterway. The Okeechobee Waterway connects the east and west coasts of Florida, is maintained at a depth of 8 feet and is suitable for both commercial tug-barge and recreational traffic. The 165 mile waterway from Stuart on the east coast to Ft. Myers on the west coast saves approximately 360 miles compared to rounding the Florida peninsula. The Army Corps of Engineers reports that approximately 10,000 vessels and 26,000 tons of cargo transit the waterways' nearby St. Lucie lock each year.



The navigable waterway passes through a 50' wide opening between the protected abutments of the FEC the railroad bridge. This is the narrowest point that mariners must navigate on the 154 mile Okeechobee Waterway where the canal varies from 80 to 100 feet wide (some of the locks are 50' wide, but they are not in open water, subject to cross currents and do not pose navigation safety issues).

When the bridge is closed it comes within 7' of the surface of the water, effectively closing the waterway - vessels that require less than 7' vertical clearance usually have very shallow drafts and do not need to use the channel portion of the waterway as they can safely pass under the bridges at numerous points. When the railroad bridge is open, waterway vertical clearance in the area is 65' under the adjacent Route 1 Highway Bridge, and 14' under the adjacent draw bridge on N. Dixie Highway. This drawbridge is manned by a bridge tender and will open upon demand.



As with any choke point between large bodies of tidal waters, currents are strong except for brief windows during slack tide.

Transiting through these three bridges is challenging for many vessels because of the configuration of the waterway. Vessels must pass through three narrow bridge openings, which are not perfectly aligned, within less than a quarter mile. As with any choke point between large bodies of tidal waters, currents are strong except for brief windows during slack tide. Captains of tug and barge operations report that they must time their transits carefully so as to arrive when the tide is changing and the current is at its weakest. And while smaller vessels are able to pass each other safely, transits of the quarter-mile gauntlet by vessels of any size limit the waterway to one way traffic.

Changes in Rail Traffic and Waterway Use

When the rail bridge was built, circa 1938, use of the waterway was much lower and trains were very infrequent. In the last 76 years:

- The population in St. Lucie and Martin counties has grown from a few thousand to over 350,000 full time residents. The winter population in many areas increases by 20%.
- The regional economy and lifestyle has shifted from mostly agriculture (pineapple farming) to waterway-oriented residential, and water-oriented commercial
- The Atlantic intra-coastal waterway was built and intersected with the St. Lucie River
- The Okeechobee Waterway was built connecting Ft. Myers, Palm City, Stuart, St. Lucie, the Atlantic intra-coastal waterway, and the Atlantic Ocean.
- Waterway use between the St. Lucie River west of the FEC rail bridge and points east has greatly increased. During one 53 day period almost 13,000 transits were observed. This equates to over 88,000 per year.
- The number of railroad bridge closures per day has greatly increased, and the closure times have gotten longer.

Waterway users from both sides of the bridge transit to use the waterways. Most of the 15 major marina and dockage space in the area is west (upstream) of the bridge. These vessels, and those transiting from the Okeechobee Waterway, must pass through the FEC rail bridge to access the Atlantic Ocean and/or the Atlantic intra-coastal waterway, and contribute to the estimated 88,000 transits per year.

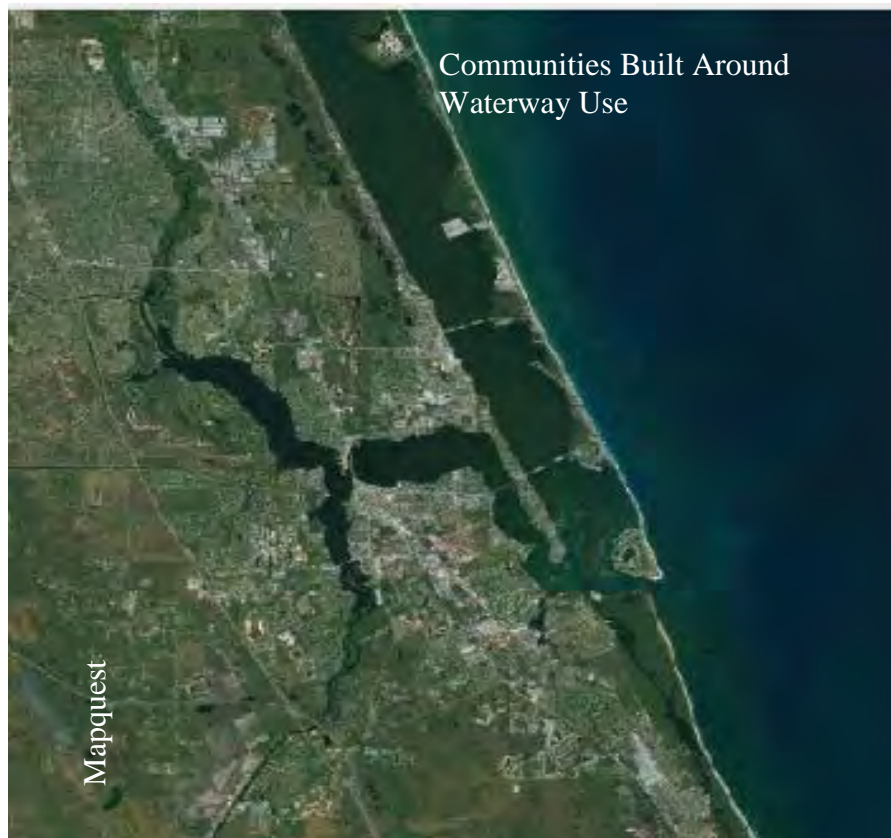
The Gulf Stream is often within 8 to 14 miles off the coast making offshore fishing particularly attractive.

According to the FECR, the bridge closes the waterway approximately 14 times each day and the closures last approximately 20 minutes. Local residents, though, report more extended closures and indicate that closures of an hour are not uncommon when the bridge does not open in between trains. None of the closures are scheduled, nor are they announced more than a few minutes in advance. Users also have no way of knowing how long the closure will last.

Bridge closures discourage users on both sides of the bridge from fully using the waterways, especially since the closures are at random and of unpredictable length.

The Bridge Currently Does Not Meet the Reasonable Needs of Navigation Because:

1. It interferes with the primary economic engine of the local economy and undermines the foundation upon which the local water-oriented communities were built.



Huge-water oriented communities in Stuart, Palm City, St. Lucie and the surrounding areas, marine services, marine retail, and all the supporting business and economic activity would not exist, but for the presence and usability of the waterways.

The importance of this type of economic activity is essential to the entire state of Florida and is well documented. The Florida Oceans and Coastal Council reported that the states coastal counties contribute about 79 percent of the

state's economic productivity.²

Dr. James Cato, an economist, Florida Oceans and Coastal Council member, and former Director, School of Natural Resources and the Environment, University of Florida has testified that “[a]nything affecting coastal tourism, recreation and marine transportation has a huge impact on Florida's ocean economy [...] These sectors of economic activity represent 88 percent of Florida's ocean economy”³

Over 450 vessels per day transit through the bridge on peak days. These can be a varied combination of large and small recreational vessels and larger tugs with barges. This mixture increases wait times as larger vessels must pass through more slowly and do not safely allow for traffic in the opposite direction. Many vessels must loiter for some period waiting for the bridge to open, burning fuel, increasing air emissions, and wasting time. Loitering also increases the risk of vessels colliding with each other, running aground or being set upon the bridge by strong currents.

Rail bridge closures deter waterway use. While it is impossible to measure events that do not occur, it is, nevertheless, obvious that waterway use would be higher if the bridge never closed, and the surrounding community's economies would be that much stronger.⁴

2. The bridge's age and condition risks structural and mechanical failures that obstruct the waterway.



² Florida Oceans and Coastal Council, *Florida's Ocean and Coastal Economies Report, Phase II.*, at 6 (June 2008), available at http://www.floridaoceanscouncil.org/reports/Facts_and_FiguresII.pdf.

³ *Oceans and Coast Drive Florida's Economy*, **Environmental News Service**, (Oct. 1, 2008), <http://www.ens-newswire.com/ens/oct2008/2008-10-01-094.asp>.

⁴ While the local area is prosperous and growing, regional economic information is unfortunately not readily available. This information is crucial to public policy decisions, however, and such data and analyses must be incorporated into any decisions. For example, if an obstructive rail bridge decrements a \$20B/yr local economy by half a percent, that would be a cost shift from the private rail company to taxpayers of \$100M/yr. Similarly, if it degraded the value of \$50B in property by half a percent, that would be a loss of \$250M to taxpayers.

While information on past bridge malfunctions was not immediately available for this paper, a casual inspection of the bridge shows that it has suffered from lack of attention and maintenance.

As the 76 year-old bridge structure, materials and mechanisms continue to age and degrade, mechanical and material failures are certain.

3. Alternatives to obstructing the waterway exist, are available, and are feasible.

Waterway users have only one route available to them, the railroad has several.

Railroad tracks farther to the west are available, and in use, for both freight and passenger service.

An elevated rail bridge is feasible. Bridges with grades of up to 4% support freight operations in other locations.

Alternatives to using a 76 year-old, poorly maintained bridge that unreasonably obstructs the waterway are more expensive for the FECR. By not using these alternatives, though, FECR is imposing much greater costs on the citizens of the surrounding area.

4. Competent government agencies have determined that the bridge height does not provide for the reasonable needs of navigation.

If FECR were to seek a permit to build a new version of this bridge today, it would most certainly be denied.

US Coast Guard and US Department of Transportation policies specifically state preferences for fixed bridges over mobile bridges, whenever possible, as they minimize negative impacts to all transportation modes at these important intersections of systems.

When the State of Florida constructed the Route 1 bridge over the St. Lucie River and adjacent to the FEC rail bridge it made a deliberate decision that a fixed bridge at 65' over the waterway would meet the needs of both navigation and highway traffic. Highway traffic is more continuous than rail traffic, so the parallel is not exact. However, as rail traffic has increased, both in the number of trains and their length, the parallel between the two has become much closer. For example, local officials and waterway users report that the rail bridge often does not open between individual trains to allow navigation, even if it means another 20 minutes the waterway will be closed.

The FEC RR bridge is approximately 7' above the water when closed. The USCG Bridge Clearance Guide calls for bridges in this area to be 21' above the water when closed.

Guidance for bascule bridges on the Okeechobee waterway between St. Lucie locks and the Atlantic inter-coastal waterway – see U.S. Coast Guard, Bridge Guide Clearances, available at <http://www.uscg.mil/hq/cg5/cg551/bridge.asp> (stating that bridges at the guide height “will

ordinarily receive favorable consideration under the bridge permitting process (33 CFR Chapter 1, Subchapter J - Bridges) **as providing for the reasonable needs of navigation.”).**

The Bridge Currently, Before the Project, Does Not Meet the Reasonable Needs of Navigation. The Coast Guard must designate this bridge as an unreasonable obstruction to navigation under the Truman-Hobbs act and mandate its replacement.

Mitigation Pending Removal or Replacement of the Bridge

Until the bridge is removed or replaced, its negative impact on the waterway must be minimized. This requires that:

1. The waterway be open to navigation for at least 31 minutes each hour,
2. The length of openings allow passage of all vessels waiting,
3. The amount of time for any single closure does not exceed 15 minutes as this would discourage waterway use, and
4. The times that the waterway will be open are highly predictable and easily understood.

Openings

The law gives deference to waterways users because of their limited alternatives, and the multiple alternatives available to surface transportation.

The waterway must be open at least 31 minutes per hour, and for at least 15 minutes per opening.

Safe vessel transits are often limited by the narrow passage to one direction at a time, and the need for a slow to modest speed (no more than 10 to 15 knots). The length of the openings must allow passage for all vessels waiting on both sides to cross. With 88,000 transits per year and up to 450 per day, including large commercial vessels, waiting lines can be long. Less than 15 minutes would often be insufficient for vessels on both sides of the bridge to organize, accelerate, and individually pass under the bridge. Note that it is too narrow for safe two way traffic for many vessels.

Waiting for the bridge to open degrades the boating experience significantly, and can drive potential waterway users to just stay home. According to one source:

“Americans spend roughly 37 billion hours each year waiting in line. The dominant cost of waiting is an emotional one: stress, boredom, that nagging sensation that one’s life is slipping away. **The last thing we want to do with our dwindling leisure time is squander it in stasis.**”⁵

⁵ Alex Stone, *Why Waiting is Torture*, *New York Times* (Aug. 19, 2012), <http://query.nytimes.com/gst/fullpage.html?res=9B07E4D7113BF93AA2575BC0A9649D8B63>.

Informal interviews with users show that they consider a wait of 15 minutes or less reasonable. This is predicated upon the schedule of such waits being highly predictable so that users can structure their arrivals so as to avoid most closures altogether.

As mentioned earlier, vessels loitering and trying to position themselves for when the bridge opens unnecessarily waste fuel, have increased air emissions due to the additional fuel burn and typically low engine speed, and run greater risk of collision, grounding and being set upon the bridge by strong currents.

Predictability and Clarity

Safe and enjoyable waterway use requires time and preparation. Numerous items of equipment, some of which are time consuming to prepare and requires special transport, are often involved. It is also often a group activity, so schedules of multiple people must be coordinated, sometimes weeks in advance.

Minimizing the negative impact of rail bridge closures on waterway use requires that users have a long term predictable schedule of when the waterway will be open. This certainty will manage expectations, and allow users to adjust their activities and schedules accordingly.

It is also important that schedules be clear, easily understood and recalled from memory. For example: “The bridge will open on the hour and half hour, and stay open for 20 minutes.”

We request that the schedule for the waterway being open be published in the Federal Register as part of the rulemaking. Less preferred would be that the rulemaking require that the schedule be published at least 90 days in advance and that all schedules remain unchanged for at least 90 days. This is a change that should be made with or without the project.

b) Loxahatchee Bridge Operations

Summary:

Changes in rail traffic and maritime activity since 1935 have caused the Florida East Coast Railroad bridge over the Loxahatchee River to become an unreasonable obstruction to navigation.

The bridge must either be completely removed or replaced with one that is not unreasonably obstructive.

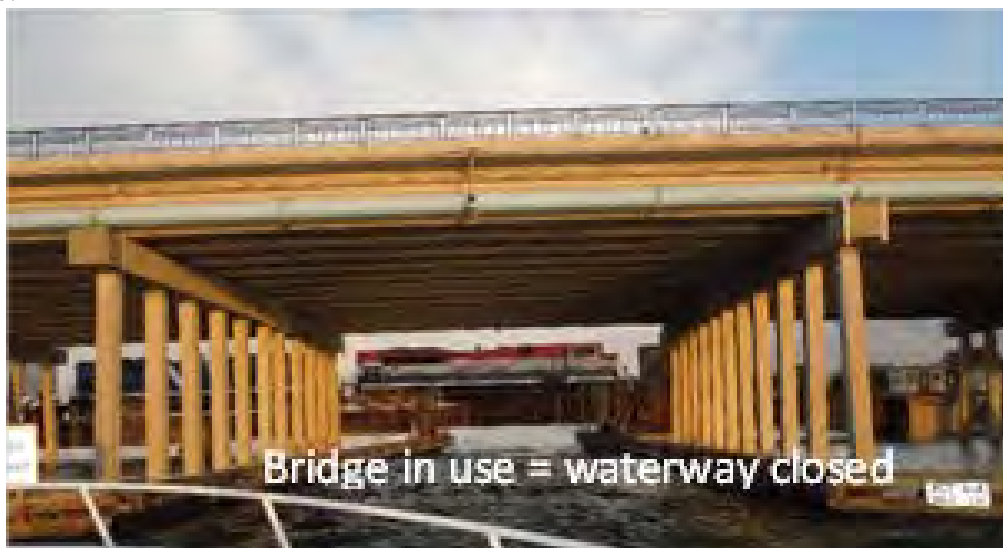
In the interim, strict, highly predictable, long term scheduling of bridge openings and closings must be instituted to mitigate obstruction of the waterway.



Background:

Waterway Description & Navigation Considerations

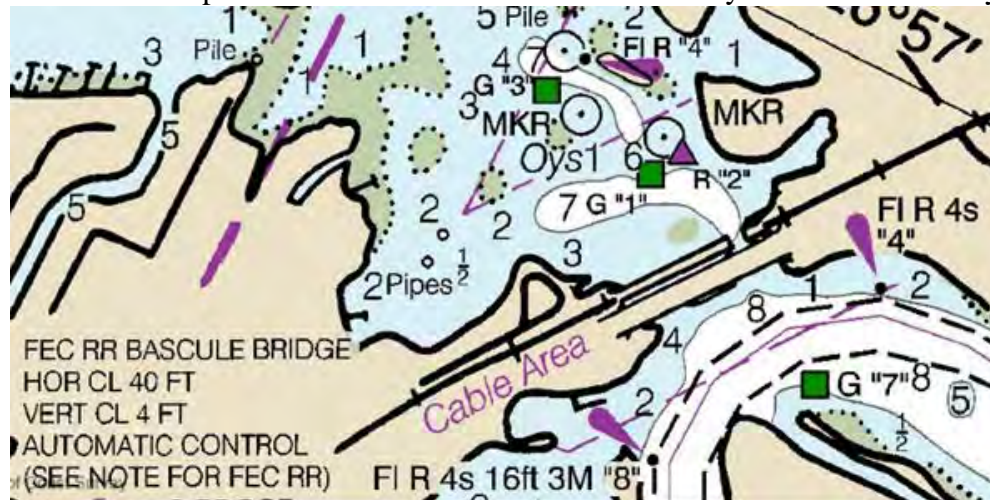
The navigable waterway passes through a narrow, 40' space between the protected abutments of the FEC railroad bridge. When the railroad bridge is open, waterway vertical clearance is 25' which is controlled by the adjacent Route 811 fixed highway bridge. The 3,000 mile intra-coastal waterway that traverses the Atlantic and Gulf coasts is immediately to the east of the two bridges. A third of a mile downstream the Route 1/A1A fixed highway bridge has 26' vertical clearance.



When the railroad bridge is in use the waterway into and out of the Loxahatchee River system is closed as the bridge comes within 4' of surface of the water.

Boats waiting for the bridge to open must often contend with strong tidal currents estimated at 7 to 8 knots. This is caused by the tide surging through a narrow river neck into and out of the very large basin and recreation area comprised of the three forks of the Loxahatchee River and the extensive, wide confluence area just west of the bridge. Boats waiting for the bridge to open can have difficulty avoiding being set onto the bridge, the shore, and each other.

The narrow passage and strong current beneath the bridge make it impossible, or at best unsafe, for even small vessels to pass each other. So traffic is almost always limited to one way at a time.



Changes in Rail Traffic and Waterway Use

When the rail bridge was built, circa 1935, use of the waterway was much lower and trains were very infrequent. In the last 79 years:

- The local population has grown by approximately 10,000%
- The regional economy and lifestyle has shifted from working agriculture to waterway-oriented residential, and water-oriented commercial
- The intra-coastal waterway was built and intersected with the Loxahatchee
- Waterway use between the Loxahatchee River system and other waterway areas has greatly increased. For 193 days during the first half of this year, the Jupiter Inlet District observed over 48,000 vessel transits through the rail bridge. This equates to over 90,000 a year.
- The number of railroad bridge closures per day has greatly increased, and the closure times have gotten longer.

While there are more than 1,200 boat slips upstream, waterway users from both sides of the bridge transit to use the waterway on the other side. Boaters from the east side of the bridge transit west to the broader and more sheltered areas of the river to water ski, jet ski, picnic on a wide and long sand bar at low-tide, and visit Jonathan Dickinson State Park. Boaters from the west side transit east to use the intra-coastal waterway, visit marinas, patronize restaurants, and enter the Atlantic.

The Gulf Stream comes closer to shore in this area than anywhere else in the United States (between 1 and 2 miles) making offshore fishing particularly attractive. Average year-round water temperature is 78 degrees adding to the attractiveness of in-water and water-borne recreation.

According to the FECR, the bridge closes the waterway approximately 14 times each day for approximately 20 minutes. Residents report that the closures can be much longer, though, lasting up to an hour when the bridge does not open between trains. Data collected by the Jupiter Inlet District, though, shows that the number of times per day the waterway is open for navigation during daylight hours varies greatly between zero and 16. None of the closures are scheduled, nor are they announced more than a few minutes in advance. Users also have no way of knowing how long the closure will last.

Bridge closures discourage users on both sides of the bridge from fully using the waterways, especially since the closures are at random and of unpredictable length.

The Bridge Currently, Before the Project, Does Not Meet the Reasonable Needs of Navigation Because:

1. It interferes with primary economic engine of the local economy and undermines the foundation upon which the local water-oriented communities were built.

Huge-water oriented communities in Jupiter, Tequesta, southern Martin County and northern Palm Beach County, marine services, marine retail, and all the supporting business and economic activity would not exist, but for the presence and usability of the waterways.

The importance of this type of economic activity is essential to the entire state of Florida and is well documented. The Florida Oceans and Coastal Council reported that the states coastal counties contribute about 79 percent of the state's economic productivity.⁶

Dr. James Cato, an economist, Florida Oceans and Coastal Council member, and former Director, School of Natural Resources and the Environment, University of Florida has testified that "Anything affecting coastal tourism, recreation and marine transportation has a huge impact on Florida's ocean economy[.] These sectors of economic activity represent 88 percent of Florida's ocean economy"⁷



⁶ See Florida Oceans and Coastal Council, *Florida's Ocean and Coastal Economies Report, Phase II.*, at 6 (June 2008), available at http://www.floridaoceanscouncil.org/reports/Facts_and_FiguresII.pdf

⁷ See *Oceans and Coast Drive Florida's Economy*, Environmental News Service, (Oct. 1, 2008), <http://www.ens-newswire.com/ens/oct2008/2008-10-01-094.asp>.

Over 500 vessels per day transit through the bridge on peak days. Many, if not most, must loiter and wait for the bridge to open, burning fuel, increasing air emissions, and wasting time. Loitering also increases the risk of vessels colliding with each other, running aground or being set upon the bridge by strong currents.

Rail bridge closures deter waterway use. While it is impossible to measure events that do not occur, it is, nevertheless, obvious that waterway use would be higher if the bridge never closed, and the surrounding community's economies would be that much stronger.⁸

2. The bridge's age and condition has caused failures that obstructed the waterway. The risk of additional and more frequent obstructions is increasing.



Upon one occasion a large piece of metal fell from the bridge and obstructed the waterway. Because it was not visible from the surface, several boats struck the metal and reported minor damage. Requests to the railroad for it to be removed went unheeded. The large metal object was eventually cleared from the waterway by the Jupiter Inlet District.

Mechanical failures of the bridge mechanism have obstructed the waterway while it was being repaired.

Extended waterway closures have resulted from a faulty locking system or signal system. With the bridge in the down position, trains have repeatedly stopped short of the crossing for the engineer to dismount, walk up to the bridge to ensure it is locked down and safe to cross. For south-bound trains this also blocks all three streets exiting the City of Tequesta and has resulted in complaints to FECR by the mayor.

⁸ While the local area is prosperous and growing, regional economic information is unfortunately not readily available. This information is crucial to public policy decisions, however, and such data and analyses must be incorporated into any decisions. For example, if an obstructive rail bridge decrements a \$20B/yr local economy by half a percent, that would be a cost shift from the private rail company to taxpayers of \$100M/yr. Similarly, if it degraded the value of \$50B in property by half a percent, that would be a loss of \$250M to taxpayers.

Very little to no preventive maintenance or care is evident to anyone walking out onto the bridge (the bridge is entirely accessible to casual pedestrians and even lacks land-side warning or “no trespassing” signs.)

As the 79 year-old bridge structure, materials and mechanisms continue to age and degrade, an increase in mechanical and material failures is certain.

3. Alternatives to obstructing the waterway exist, are available, and are feasible.

Waterway users have only one route available to them, the railroad has several.

Railroad tracks farther to the west are available, and in use, for both freight and passenger service.

An elevated rail bridge is feasible. Bridges with grades of up to 4% support freight operations exist in other locations.

US Coast Guard and US Department of Transportation policies specifically state preferences for fixed bridges over mobile bridges, whenever possible, as they minimize negative impacts to all transportation modes at these important intersections of systems.

When the State of Florida constructed the route 811/A1A bridge over the Loxahatchee and adjacent to the FEC rail bridge it made a deliberate decision that a fixed bridge at 25' over the waterway would meet the needs of both navigation and highway traffic. Highway traffic is more continuous than rail traffic, so the parallel is not exact. However, as rail traffic has increased, both in the number of trains and their length, the parallel between the two has become much closer. For example, local officials and waterway users report that when individual trains are separated by 20 minutes or less, the rail bridge will not open to allow navigation between train crossings.

The FEC RR bridge is approximately 4' above the water when closed. The USCG Bridge Clearance Guide calls for bridges on the adjacent intra-coastal waterway to be 21' above the water when closed. *Guidance for bascule bridges on the Atlantic intra-coastal waterway between Jacksonville and Miami*— see U.S. Coast Guard, Bridge Guide Clearances, available at <http://www.uscg.mil/hq/cg5/cg551/bridge.asp> (stating that bridges at the guide height “will ordinarily receive favorable consideration under the bridge permitting process (33 CFR Chapter 1, Subchapter J - Bridges) as providing for the reasonable needs of navigation.”).

Alternatives to using a 79 year-old, poorly maintained bridge that unreasonably obstructs the waterway are more expensive for the FECR. However, by not using these alternatives, FECR is imposing much greater costs on the citizens of Tequesta, Jupiter and the surrounding area.

If FECR were to seek a permit to build a new version of this bridge today, it would almost certainly be denied.

The Bridge Does Not Currently Meet the Reasonable Needs of Navigation Before the Project. The Coast Guard must designate this bridge as an unreasonable obstruction to navigation under the Truman-Hobbs act and mandate its replacement.

Mitigation of Negative Impact Pending Removal or Replacement of the Bridge

Until the bridge is removed or replaced, its impact on the waterway must be minimized. This requires that:

1. The waterway be open to navigation for at least 31 minutes each hour,
2. The length of openings allow passage of all vessels waiting,
3. The amount of time for any single closure does not exceed 15 minutes as this would discourage waterway use, and
4. The times that the waterway will be open are highly predictable and easily understood.

Openings

The law gives deference to waterways users because of their limited alternatives, and the multiple alternatives available to surface transportation.

The waterway must be open at least 31 minutes per hour, and for at least 15 minutes per opening.

Safe vessel transits are limited by the narrow passage to one direction at a time, and the need for a slow to modest speed (no more than 10 to 15 knots). The length of the openings must allow passage for all vessels waiting on both sides to cross. The Jupiter Inlet District has observed an average of 288 vessel bridge transits each day, and even more vessels would do so, but for the obstruction of the bridge. With over 500 transits per day on peak days, waiting lines can be long. Less than 15 minutes would often be insufficient for vessels on both sides of the bridge to organize, accelerate, and individually pass under the bridge (it is too narrow for safe two way traffic).

Waiting for the bridge to open degrades the boating experience significantly, and can drive potential waterway users to just stay home. According to one authority:

“Americans spend roughly 37 billion hours each year waiting in line. The dominant cost of waiting is an emotional one: stress, boredom, that nagging sensation that one’s life is slipping away. *The last thing we want to do with our dwindling leisure time is squander it in stasis.*”⁹

⁹ Alex Stone, *Why Waiting is Torture*, **New York Times** (Aug. 19, 2012), <http://query.nytimes.com/gst/fullpage.html?res=9B07E4D7113BF93AA2575BC0A9649D8B63>.

Informal interviews with users show that they consider a wait of 15 minutes or less reasonable. This is predicated upon the schedule of such waits being highly predictable so that users can structure their arrivals so as to avoid most closures altogether.

As mentioned earlier, vessels loitering and trying to position themselves for when the bridge opens unnecessarily waste fuel, have increased air emissions due to the additional fuel burn and typically low engine speed, and run greater risk of collision, grounding and being set upon the bridge by strong currents.

Predictability and Clarity

Safe and enjoyable waterway use requires time and preparation. Numerous items of equipment, some of which are time consuming to prepare and requires special transport, are often involved. It is also often a group activity, so schedules of multiple people must be coordinated, sometimes weeks in advance.

Minimizing the negative impact of rail bridge closures on waterway use requires that users have a long term predictable schedule of when the waterway will be open. This certainty will manage expectations, and allow users to adjust their activities and schedules accordingly.

It is also important that schedules be clear, easily understood and recalled from memory. For example: “The bridge will open on the hour and half hour, and stay open for 20 minutes.”

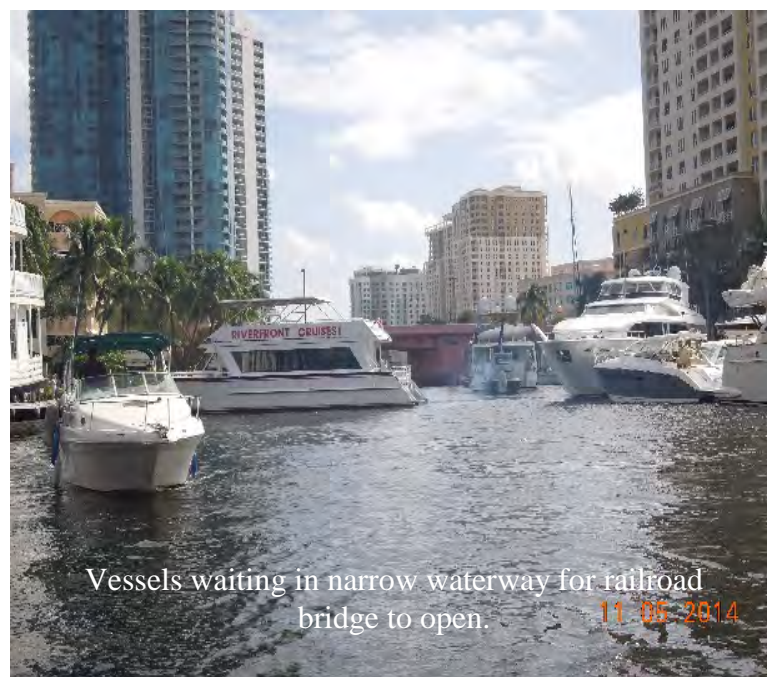
We request that the schedule for the waterway being open be published in the Federal Register as part of the rulemaking. Less preferred would be that the rulemaking require that the schedule be published at least 90 days in advance and that all schedules remain unchanged for at least 90 days. This is a change that should be made with or without the project.

c) New River Bridge Operations

Summary:

Changes in rail traffic, maritime activity, and the community since the bridge was first permitted in 1974 have caused the Florida East Coast Railroad bridge at Ft. Lauderdale over the New River to become an unreasonable obstruction to navigation.

The bridge must either be completely removed or replaced with one that is not unreasonably obstructive.



In the interim, strict, highly predictable, long term scheduling of bridge openings and closings must be instituted to mitigate obstruction of the waterway.

Background:

Waterway Description & Navigation Considerations

The New River is a naturally occurring and (by Florida standards) relatively deep waterway that originates in the Everglades and has been used for commercial transportation for over 100 years. In the area of greatest interest to this report, it is approximately 9 feet deep making it navigable by sizeable vessels for 8 miles from where it enters the Atlantic Ocean in the east to the last dockage for major vessels on the western reaches of its South Fork. The river provides excellent hurricane protection and connects the interior of Broward County, the Central Business District of Ft. Lauderdale, the north-south Atlantic intra-coastal waterway, and the Atlantic Ocean. It is used extensively for a wide range of marine activity including commercial industrial traffic associated with major yacht maintenance and storage, other commercial traffic such as water taxis and sightseeing vessels, marine construction vessels and barges, law enforcement/military vessels, and a high volume of recreational traffic. The waterway has been designated a “Broward Urban River Trail,” which encourages its use by small motorized and non-motorized vessels.¹⁰

The waterway is fairly narrow, though vessels over 200 feet long have safely transited the eight miles to the industrial centers in the west.

Many larger vessels transit with two smaller vessels, one each tethered to their bow and stern, to help ensure against a loss in steerage or propulsion, and to help the captain avoid other vessels and fixed obstacles.



The south fork of the New River west of the FEC RR Bridge is home to one of the largest concentrations of commercial marine operations I have ever seen (location of just some of the facilities are depicted on the above illustration). It includes the 50 acre Lauderdale Marine Center which bills itself as the largest yacht repair facility in the United States.

¹⁰ See Broward Urban River Trails, available at <http://www.burt.org/Frame.htm>.

A 214 foot vessel is reported to be the largest serviced to date in the facilities on the South Fork of the New River. Available services range from hauling 330 ton vessels out of the water for bottom maintenance, to engine replacements and cosmetic services (painting and finishing). In a 2006 report, the Marine Industries Association of South Florida (MIASF) found over 1,500 mega-yachts (80'+) in the region served by this commercial hub. It also found that when these vessels used a boatyard, the average (2006) invoice was for \$169,000.

A recent report by MIASF documents that, in Broward County (Ft. Lauderdale) alone, the marine industry is responsible for \$8.8B/year in economic impact, and over 100,000 jobs. A great part of Ft. Lauderdale's success at being "The Yachting Capital of the World" is undoubtedly its huge capacity for industrial and maintenance support of all kinds of recreational vessels, especially larger ones.

While the economic impact of marine activities on the New River is substantial, the potential for greater success, job creation, and economic development is continually threatened and/or stymied by the FECR bridge's frequent, unpredictable closures, and its poor reliability.

The western reaches of the New River also serve as a hurricane evacuation location for many large vessels. This provides value to the region, in and of itself, as most marine insurance companies require owners to have an evacuation plan and location as a condition of coverage. Thus, vessels from the entire US Eastern seaboard and around the Caribbean that may not have another reason to visit and transit the river benefit from its accessibility.

The FECR bridge (bridge 341.26) is downstream from the:

- Enormous and highly productive marine commercial and industrial hub on the South Fork of the New Rivers
- Numerous water-oriented communities
- Broward Center for the Performing Arts
- Museum of Discovery and Science & Imax Theatre
- Esplanade Park
- Historic Himmarshee Village & the Old Ft. Lauderdale Museum of History
- New River Inn
- Cooley's Landing (with live aboard dockage)
- South Fork - Secret Woods Nature Center
- Approximately 5,000 docks.



When closed, the FECR bridge rests 4' above the water and closes the river to navigation. The adjacent Andrews Avenue bridge is 21' above the water when closed. This allows the majority of the river traffic to transit beneath without the bridge needing to open. Note that the USCG guide height for bascule bridges in this area is 21' in the closed position.

Through credible and peer-reviewed modeling work, area planners and scientists region predict that sea levels along the SE Florida coast will rise 9 to 24 inches in the next 50 years (from 2010 to 2060).¹¹ This will likely result in the surface of the water coming into contact with the main bridge structure during storm surges from major weather events and during high water and storm water outflow events after tropical rain falls.

The 60' horizontal clearance through the bridge is the narrowest point on the New River, which is 100' or wider along its navigable length. All but the smallest vessels must confine themselves to one way, one at a time traffic when transiting through the bridge.

The river at the FECR bridge is subject to tidal currents, a river current that varies depending upon the amount of recent rainfall, and cross currents from storm water outflows on the north bank immediately downstream from the bridge. Tidal current on the river has been measured in excess of 4 knots, according to NOAA data.¹² Since the New River is

connected to a major regional drainage canal under the jurisdiction of the US Army Corps of Engineers (and local sponsor South Florida Water Management District), high storm water discharge conditions - which in sub-tropic South Florida happen frequently - can cause the current to be much faster. Extreme storm events (such as hurricanes and major thunderstorm systems) can deliver enough water such that the level of the river at low tide approaches that of a normal high tide, and can effectively eliminate low tides for extended periods. The short term impact on the river's current, especially when added to an outgoing tidal flow, can be dramatic and turbulent. This makes navigation, and waiting for bridges to open, all that much trickier.



One of Three Large Storm Water Outfalls Near Bridge That Cause Cross Currents

In addition to the current and narrow channel restricting vessels' ability to maneuver, mariners report (and this author witnessed) significant cross currents from periodic and unpredictable

¹¹ See Southeast Florida Regional Climate Change Compact, *A Unified Sea Level Rise Projection for Southeast Florida*, at iii (April 2011), available at <http://www.southeastfloridaclimatecompact.org/wp-content/uploads/2014/09/sea-level-rise.pdf>.

¹² NOAA, Tides and Currents, available at http://tidesandcurrents.noaa.gov/get_predc.shtml?year=2014&stn=5484+Miami%20Harbor%20Entrance&sestn=F+Lauderdale,+New+River&sbfh=-0&sbfm=14&fldh=-0&fldm=01&sbeh=%2B0&sbem=28&ebbh=%2B0&ebbm=52&fldr=1.4&ebbr=0.8&fldavgd=005&ebbavgd=130&footnote= (last accessed Dec. 1, 2014).

storm water outfalls in very close proximity to the east side of the FEC rail bridge. These further complicate the ability to safely navigate, hold course, or hold position while waiting for the bridge to open.

Vessels speeds are limited by “no wake” restrictions along much of its length and several manatee zones.

Bridge Operation – Prior to the Project – Is Not In Accordance With Federal Regulations

Operation of the bridge does not conform to provisions in the Code of Federal Regulations (CFR) in several ways.

33 CFR 117.4 provides for an automated drawbridge to be kept open to navigation when not in use by a train. Local waterway users and neighbors report that the bridge is often closed for extended periods, frequently an hour or more, when no train is present.

22 CFR 117.42 states that, when an automated bridge operation is approved, “...a description of the full operation of the remotely operated or automated drawbridge will be added to subpart B of this part.” No such description is included in subpart B.

Since no “description of the full operation” is included in subpart B, the default requirement is in **33 CFR 117.5** which states that “...drawbridges must open promptly and fully for the passage of vessels when a request or signal to open is given in accordance with this subpart.” Since the bridge is untended, the visual and sound signals outlined in 33 CFR 117.15 are of no use, and no provision has been made for radio telephone communications. This writer was not able to find any method for making a request or giving a signal to open this bridge in the CFR, Coast Pilot, or any other publication. The bridge owner is in violation of federal regulations for not having and publicizing a method for mariners to signal for the bridge to open.

33 CFR 117.55 requires that the owner of each drawbridge post signs upstream and downstream of the bridge notifying waterway users of the operating scheme for the bridge. No such signs are present.

Notes:

1. The Federal Railroad Administration reports that the bridge closes 11 times a day for rail traffic with an average closure time of about 20 minutes.
2. Local waterway users report that the bridge is often down for much longer periods extending to an hour or more. This is attributed, in part, to a desire to not raise the bridge between trains, and that some trains stop on the tracks on either side of the bridge which signals the automatic system to keep the bridge down.

Vessel Traffic

No independent measurement of yearly vessel traffic in this section of the river was identified for reference during the preparation of this paper. This is an important missing datum that should be obtained as soon as possible by an independent government authority.

In spite of the apparent absence of reliable quantitative data, it is clear to even a casual observer that the section of the New River near the FECR bridge is an exceptionally busy waterway. For example, even though a majority of vessels are able to pass beneath the adjacent 21' high Andrews Avenue bridge without it opening, this bridge still opens about 1,000 times a month to allow larger vessels to pass. Assuming a 6:1 ratio of smaller vessels to larger ones makes an estimate of annual traffic about 84,000 transits per year.

It is still important to note, though, that even an accurate count of current traffic and transits does not include the amount of waterway and economic activity that is deterred by this bridge closing the waterway as often as it does. For example, Mr. William Walker, owner of "Water Taxi of Ft. Lauderdale" operates a fleet of 14 boats carrying over 440,000 passengers each year. His water taxis serve the area east of the bridge, but not the tourist and cultural area just west of the bridge that includes the Broward Center for the Performing Arts, Museum of Discovery and Science, Imax Theatre, Esplanade Park, Historic Himmarshee Village, and the Old Ft. Lauderdale Museum of History. These attractions would ordinarily be ideal water taxi stops. Unfortunately, frequent, unscheduled, and often extended rail bridge closings prevent such service as they would too often cause great delays and anger water taxi customers.

Changes in Rail Traffic and Waterway Use

The FEC Railroad has operated a bascule rail bridge over the New River in Ft. Lauderdale since 1912. The current rail bridge was permitted in 1974-5 and construction was complete in 1978. Since the current bridge was permitted, the marine industry and residential areas to the west have grown significantly. By example, the overall year-round population of the Broward County has doubled since 1978, from about 900K to 1.8M. And this does not include substantial seasonal increases and tourist visits.

Waterway users from both sides of the bridge transit to use the waterways on the other side. To the west there are extensive marine industrial support facilities, thousands of waterfront residences, and the numerous attractions and parks mentioned earlier. To the east lie the intra-coastal waterway, Port Everglades, and the Atlantic Ocean. Restaurants and other waterfront attractions can be found all along the length of the river.

As mentioned earlier, according to the FRA, the bridge closes the waterway approximately 11 times each day and the closures last approximately 20 minutes. Local waterway users report more extended closures and indicate that closures of an hour are not uncommon. None of the closures are scheduled, nor are they announced more than a few minutes in advance. Users also have no way of knowing how long the closure will last.

Bridge closures discourage users on both sides of the bridge from fully using the waterways, especially since the closures are at random and of unpredictable length.

The Bridge Before the Project Does Not Meet the Reasonable Needs of Navigation Because:

1. It interferes with a primary economic engine of the local economy and undermines the foundation upon which the local water-oriented communities were built.

“With 300+ miles of inland waterways and 50,000 registered yachts, Fort Lauderdale is dubbed ‘the Yachting Capital of the World’ . . . and home to the largest boat show in the world, the Fort Lauderdale International Boat Show.”¹³

Ft. Lauderdale prides itself on being yachting capital of the world. Sustaining that reputation and economic engine depends upon ready availability access to a wide range of industrial, engineering, maintenance and support services for those vessels. Access to almost all of these facilities is controlled by the FEC rail bridge over the New River.

The bridge also controls access to more than 5,000 docks at marinas and homes up river.

Many vessels must loiter for some period waiting for the bridge to open, burning fuel, increasing air emissions, and wasting time. Loitering also increases the risk of vessels colliding with each other, hitting and damaging vessels docked along the river, or being set upon the bridge by strong currents.

Rail bridge closures delay waterway users and deter future use (the water taxi that does not serve the attractions on the west side of the bridge is just one example). Every time the bridge closes and delays a vessel transit it negatively impacts a critical economic engine of the local economy, and reduces property resale values upstream.¹⁴

The importance of this type of economic activity is essential to the entire state of Florida and is well documented. The Florida Oceans and Coastal Council reported that the states coastal counties contribute about 79 percent of the state's economic productivity.¹⁵

Dr. James Cato, an economist, Florida Oceans and Coastal Council member, and former Director, School of Natural Resources and the Environment, University of Florida has testified that "Anything affecting coastal tourism, recreation and marine transportation has a huge impact on Florida's ocean economy[.] These sectors of economic activity represent 88 percent of Florida's ocean economy”¹⁶

¹³ Lena Katz, *Luxury in the Yachting Capital of the World*, **Huffington Post** (June 21, 2012), http://www.huffingtonpost.com/justlux/boatup-luxury-in-the-yach_b_1594873.html.

¹⁴ For example, if an obstructive rail bridge decrements a \$20B/yr local economy by half a percent, that would be a cost shift from the private rail company to taxpayers of \$100M/yr. Similarly, if it degraded the value of \$50B in property by half a percent, that would be a loss of \$250M to taxpayers.

¹⁵ See Florida Oceans and Coastal Council, *Florida's Ocean and Coastal Economies Report, Phase II.*, (June 2008) at 6, available at http://www.floridaoceanscouncil.org/reports/Facts_and_FiguresII.pdf.

¹⁶ *Oceans and Coasts Drive Florida's Economy*, **Environmental News Service** (Oct. 1, 2008), <http://www.ens-newswire.com/ens/oct2008/2008-10-01-094.asp>.

2. Alternatives to obstructing the waterway exist, are available, and are feasible.

While waterway users have only one route available to them, the railroad has several. These include:

- Using existing rail bridges to the west. The New River is crossed by two other rail bridges much further upstream that avoid obstructing much of the activity on the waterway. These bridges carry regional passenger (Amtrak), commuter (Tri-Rail) and freight traffic.
- Developing a new rail corridor that is west of the New River entirely. The State of Florida is exploring a rail corridor along US 27 that would greatly increase capacity for the region, while at the same time bypassing numerous existing conflicts with water and vehicle traffic.¹⁷
- Shipping freight along a parallel, but otherwise nearly identical route, by barge. Marine transport is generally recognized as the most efficient, economical, safest, and most environmentally friendly method of moving cargo,¹⁸ and “marine highways” are being investigated by regional, state, and federal planners.
- Replacing the bridge with a higher one that does not unreasonably obstruct navigation, or a tunnel. The State of Florida has estimated the costs would be \$53M for a fixed bridge with 65’ vertical clearance, \$66M for a drawbridge that had 45’ vertical clearance when closed, and a \$530M for a tunnel.¹⁹

Note: A tunnel option should not be dismissed merely because of capital cost as this would be amortized over an exceptionally long life-cycle. There are precedents in the immediate area for tunnels being selected as the best transportation option:

- The Henry Kinney Tunnel on U.S. 1 in Fort Lauderdale, which replaced a low-level drawbridge in 1960.
- The \$1B Port Miami tunnel that recently connected Miami's MacArthur Causeway to the Port of Miami

¹⁷ Angel Streeter, *Railroad coming to U.S. 27? A new vision emerges*, **Sun Sentinel** (May 18, 2013), http://articles.sun-sentinel.com/2013-05-18/news/fl-us-27-rail-expansion-study-20130516_1_freight-trains-rail-corridor-rail-line.

¹⁸ Nationals Waterways Foundation, *A Modal Comparison of Domestic Freight Transportation Effects on the General Public: 2001-2009* (Feb. 2012), <http://www.nationalwaterwaysfoundation.org/study/FinalReportTTI.pdf>

¹⁹ Michael Turnbull, *Bridge or tunnel considered for proposed commuter train to cross New River in downtown Fort Lauderdale*, **Sun Sentinel** (Oct. 5, 2010), http://articles.sun-sentinel.com/2010-10-05/news/fl-fec-new-river-bridge-tunnel-20101005_1_boat-owners-andrews-avenue-bridge-or-tunnel.

Some of these alternatives are more expensive for the FECR. By not using them, though, the FECR is imposing much greater costs on the citizens of the area.

3. Competent government agencies have determined that the bridge height does not provide for the reasonable needs of navigation.

If FECR were to seek a permit to build this bridge today, it would most certainly be denied.

US Coast Guard and US Department of Transportation policies specifically state preferences for fixed bridges over mobile bridges, whenever possible, as they minimize negative impacts to all transportation modes at these important intersections of transportation systems.

In 2009, the State of Florida examined alternatives to the FEC rail bridge over the New River and developed the two bridge and tunnel options mentioned earlier because the state recognized the problems posed by the bridge and that it did not meet the reasonable needs of navigation.

The FEC RR bridge is approximately 4' above the water when closed. The USCG Bridge Clearance Guide calls for bridges in this area to be 21' to 25' above the water when closed. *Guidance for bascule bridges on the nearby Atlantic inter-coastal waterway and Miami River – see U.S. Coast Guard, Bridge Guide Clearances, available at <http://www.uscg.mil/hq/cg5/cg551/bridge.asp>* (stating that bridges at the guide height “will ordinarily receive favorable consideration under the bridge permitting process (33 CFR Chapter 1, Subchapter J - Bridges) as providing for the reasonable needs of navigation.”).

The Bridge Does Not Meet the Reasonable Needs of Navigation. The Coast Guard must designate this bridge as an unreasonable obstruction to navigation under the Truman-Hobbs act and mandate its replacement.

Mitigation Pending Removal or Replacement of the Bridge

Until the bridge is removed or replaced, its negative impact on the waterway must be minimized. This requires that:

1. The waterway be open to navigation for at least 40 minutes each hour,
2. The length of openings allow passage of all vessels waiting,
3. The amount of time for any single closure does not exceed 15 minutes as this would discourage waterway use, and
4. The times that the waterway will be open are highly predictable and easily understood.

Openings

The law gives deference to waterways users because of their limited alternatives, and the multiple alternatives available to surface transportation.

The waterway must be open at least 40 minutes per hour, and for at least 15 minutes per opening.

Safe vessel transits are usually limited by the narrow passage to one direction at a time, and the need for a slow, no-wake speed in what is also in a manatee zone. The length of the openings must allow passage for all vessels waiting on both sides to cross. With so many transits per year, including large commercial vessels, waiting lines can be long, especially during peak periods. Less than 15 minutes would often be insufficient for vessels on both sides of the bridge to organize, accelerate, and individually pass under the bridge.

Bridge closures directly impact the safety and costs of the commercial transits to and from the western commercial center. Delays have both a direct cost in time, fuel, additional hazards waiting in the river, etcetera, but also ripple through the entire commercial enterprise by throwing off schedules, work plans, and so on. In its Truman-Hobbs study of the waterway, the USCG should examine the cost of lost business to commercial marinas caused by operators who choose to go elsewhere due to the risk of transiting the New River and its obstructive bridge.

Waiting for the bridge to open also degrades the boating experience significantly, and can drive potential waterway users to just stay home or relocate where they moor their vessel. According to one authority:

“Americans spend roughly 37 billion hours each year waiting in line. The dominant cost of waiting is an emotional one: stress, boredom, that nagging sensation that one’s life is slipping away. **The last thing we want to do with our dwindling leisure time is squander it in stasis.**”²⁰

Informal interviews with users show that they consider a wait of 15 minutes or less reasonable. This is predicated upon the schedule of such waits being highly predictable so that users can structure their arrivals so as to avoid most closures altogether.

As mentioned earlier, vessels loitering and trying to position themselves for when the bridge opens unnecessarily waste fuel, have increased air emissions due to the additional fuel burn and typically low engine speed, and run greater risk of collision, grounding and being set upon the bridge or shore by strong currents. Collectively this inconvenience amounts to decline in property and business value.

Predictability and Clarity

Safe and efficient (and in the case of recreational users, enjoyable) waterway use requires time and preparation. Numerous items of equipment, some of which are time consuming to prepare and require special transport, are often involved. It is also often a group activity, so schedules of multiple people and organizations must be coordinated, sometimes weeks in advance.

²⁰ Alex Stone, *Why Waiting is Torture*, **New York Times** (Aug. 19, 2012), <http://query.nytimes.com/gst/fullpage.html?res=9B07E4D7113BF93AA2575BC0A9649D8B63>.

Minimizing the negative impact of rail bridge closures on waterway use requires that users have a long term predictable schedule of when the waterway will be open. This certainty will manage expectations, and allow users to adjust their activities and schedules accordingly.

It is also important that schedules be clear, easily understood and recalled from memory. For example: “The bridge will open on the hour and half hour, and stay open for 20 minutes.”

We request that the schedule for the waterway being open be published in the Federal Register as part of the rulemaking. Less preferred would be that the rulemaking require that the schedule be published at least 90 days in advance and that all schedules remain unchanged for at least 90 days. This is a change that should be made with or without the project.

2. *The Methodology the FRA Used to Examine the Project’s Navigation Impacts is Profoundly Flawed and Understates the Project’s Adverse Navigation Impacts*

Although the DEIS recognizes that vessel wait times and queue lengths will increase at the St. Lucie, Loxahatchee and New River bridges (*see, e.g.*, DEIS at 5-15) it nevertheless concludes that those impacts will have “no adverse economic impacts to marine jobs, economic growth, or development.” *Id.* The DEIS’ conclusion is flawed because the FRA has severely underestimated the extent to which the Project will harm navigation at the St. Lucie, Loxahatchee and New River Bridges.

To assess the Project’s impacts on navigation, the FRA relied on a consultant’s study – the “Navigation Discipline Report” – prepared for AAF by AMEC Environment & Infrastructure, Inc. *See* DEIS Appendix 4.1.3-C. That study – and the FRA’s use of the study – suffers from the following **seven** flaws that render the FRA’s navigation analysis wholly unreliable and inconsistent with the Agency’s obligation to ensure the “professional integrity” of its analysis. 40 C.F.R. § 1502.24.

First, the FRA examined navigation impacts only in 2016, not any of the later years during which the Project will be operational. *See* DEIS at 5-18. That truncated approach ignores harms that will be suffered for years to come. It also ignores any increases in recreational and commercial boating that may occur in the future. That approach is not consistent with the Agency’s obligation to make a reasonable forecast of what will happen in the future.

Second, the FRA also failed to establish an appropriate baseline against which to measure the impacts of the Project. To the contrary, the Navigation Discipline Report uses three different baselines – one for each bridge – without any explanation of why that is appropriate. *See* Navigation Discipline Report at 2-10.

Third, the Navigation Discipline Report claims that vessels can pass through the bridge crossing in less than 7 seconds. *See* Navigation Discipline Report at 2-10. But that is based solely on crossing time and ignores the time that will be required to accelerate from a standing position

when the bridge is closed. In sum, it ignores how the vessels will actually move when the Project is operational.

Fourth, the FRA and AAF's consultant have evaluated the Project's impacts under the rosiest of assumptions, including that the trains will operate properly without delays or incidents on the bridges. That approach cannot be reconciled with the FRA's own conclusion that changing climate conditions are likely to cause problems with bridge infrastructure. It also defies common sense. The FRA should base its projections of anticipated impacts on what is reasonably foreseeable, not on the "absolute best case" scenario.

Fifth, the FRA and AAF's consultant appear not to have collected data on daily boat traffic from either the Jupiter Inlet District or the Treasure Coast Regional Planning Council.

Sixth, the FRA appears to have concluded that the navigation impacts are minimal based on "average" wait times, rather than the total number of vessels that will be forced to wait or the total aggregate waiting time of all vessels. The DEIS provides no justification for such an approach, which does nothing but gloss over the fact that the Project will indisputably cause greater inconvenience for more boats, as documented on Pages 5-21, 5-24 and 5-26 of the DEIS.

Seventh, the FRA has prematurely rejected the idea of requiring AAF to replace the existing St. Lucie, Loxahatchee and New River bridges on the grounds that such a project would be too costly. See DEIS at 5-27. In doing so, the FRA has provided no cost data that would justify such a conclusion. To the contrary, the DEIS says: "The use of elevated bridge structures would result in significant cost increase; preliminary cost estimates indicate at least an increase in costs of two to three times planned activities." DEIS at 5-27. Nowhere does the DEIS provide reliable estimates of what it would cost to replace just the St. Lucie, Loxahatchee and New River bridges. Publicly reported bridge construction estimates suggest that the cost of building three new elevated bridges would be far, far less than the \$1.6 billion loan that AAF has requested – and nowhere close to "two to three" times that amount. In particular, the Fort Lauderdale *Sun Sentinel* reported in October 2010, that the cost of building a new bridge over the New River could cost as little as \$53 million – a small fraction of the cost of AAF's \$1.6 billion "planned activities."²¹

3. *The DEIS Ignores the Adverse Environmental Impacts That Stem From the Increased Vessel Queues and Delays that the Project Will Cause*

Despite the flaws (discussed above) in the FRA's study of the Project's navigation impacts, the DEIS nevertheless confirms that the Project (even under the rosiest of assumptions) will lead to significantly more boats idling at the St. Lucie, Loxahatchee and New River bridges. See DEIS at 5-21, 5-21 and 5-26 (noting that 76% of the boats passing under the New River bridge will be delayed because of the Project). The increase in boat idling will produce at least two reasonably foreseeable adverse environmental impacts: (a) adverse air quality impacts, and (b) more vessel collisions. But the DEIS nowhere mentions those impacts let alone takes a "hard look" at them.

²¹ Michael Turnbull, *Bridge or tunnel considered for proposed commuter train to cross New River in downtown Fort Lauderdale*, *Sun Sentinel* (Oct. 5, 2010), http://articles.sun-sentinel.com/2010-10-05/news/fl-fec-new-river-bridge-tunnel-20101005_1_boat-owners-andrews-avenue-bridge-or-tunnel.

First, the FRA has improperly ignored the adverse air quality impacts that will result from more boat idling. As the DEIS explains: “Motor vehicles emit CO₂ at high rates when they are operating at low speeds or idling in queues.” DEIS at 5-38. The same concern exists when marine vessels idle at length in long queues. Yet that is exactly what the Project is likely to cause. See DEIS at 5-21 & 5-24 (projecting that the total percentage of boats waiting in queues will triple at the St. Lucie bridge and nearly double at the Loxahatchee bridge). In these circumstances, the FRA must prepare a supplemental DEIS that addresses the impact of the Project on local air quality.

Second, the FRA has also improperly ignored the risk of more boat collisions – and the harms they bring, including not only more oil spills but also injuries and fatalities. Just as increased motor vehicle congestion can be reasonably expected to lead to more motor vehicle collisions, so too can increased marine vessel congestion be expected to lead to increased marine vessel collisions. Yet this topic receives no meaningful discussion in the DEIS. There is, for example, no projection of the number of boating accidents likely to occur and no projection of the amount of oil that may be spilled in Florida’s rivers as a result of those accidents. This is true even though the Navigation Discipline Report itself discloses facts that telegraph the ways in which the Project will increase the risk of marine vessel collisions. It notes, for example, that boats *already* try passing under the various draw bridges when those bridges are in the process of opening and closing. See Navigation Discipline Report at 2-10. Since the bridges will be opening and closing far more often if the Project goes forward, there will likely be many more opportunities for boats to crash into the bridges as they open and close. In all events, the FRA must prepare a supplemental DEIS that takes a hard look at that issue. The FRA needs to project what accidents are likely to occur, when they are likely to occur and what impacts they are likely to have, and it should compare those projections to what is likely to happen under reasonable alternatives.

4. The FRA Has Prematurely Rejected the Idea of Requiring AAF to Install Elevated Replacement Bridges

Perhaps the most troubling feature of the DEIS’s navigation discussion is that despite all the manifest problems with the existing St. Lucie, Loxahatchee and New River bridges – to say nothing of the ways the Project will make those problems worse – the FRA appears to have already improperly concluded that it is not “feasible” to replace those bridges with elevated structures. See DEIS at 5-27 (rejecting the idea of replacing all the bridges). The FRA has failed to offer persuasive reasons why new elevated bridges should not be considered for the St. Lucie, Loxahatchee and New River rail crossings, beyond the cost to AAF and failure to meet AAF’s claimed schedule of construction.

B. THE DEIS PROVIDES AN INADEQUATE ANALYSIS OF CLIMATE-RELATED RISKS

As noted above, although the DEIS recognizes the threats that climate-change poses to Florida’s eastern coast, it makes no attempt to integrate those threats into the FRA’s evaluation of how the Project will impact safety and navigation. The proposed coastal route would be far more

vulnerable to rising sea levels and storm surges than the alternative CSX route. However, the DEIS fails to assess the alternatives' susceptibility or lack thereof to the effects of climate change. The failure to undertake a more meaningful analysis of the Project's climate-related vulnerabilities is not consistent with President Obama's November 2013 Executive Order calling on all federal agencies to examine ways of promoting climate resiliency.²²

Other federal and state agencies have not hesitated to require project proponents to provide detailed information about climate-related risks and/or measures for mitigating those risks. For example, on November 24, 2014, the Federal Regulatory Energy Commission directed an applicant seeking approval to construct a liquefied natural gas facility in a coastal area to: (i) "[d]escribe potential storm surge impacts on the Project area," (ii) "explain how the facility will be designed and protect for a 500 year return hurricane storm considering wind and wave effects, regional subsidence and sea level rise," and (ii) discuss "how design components would avoid or minimize flooding, wind, and other storm impacts."²³ The FRA's DEIS for the AAF Project contains no comparable information about storm risks or ways the Project will be designed to minimize storm-related flooding and damage. The Agency should issue a supplemental DEIS that addresses this information.

C. THE DEIS OMITTS CRITICAL INFORMATION ABOUT THE PROJECT

In 2003, the Florida High Speed Rail Authority briefly examined the environmental impacts of four potential high speed rail routes between Orlando and Miami and concluded that of those four potential routes the route that AAF's high speed passenger train will traverse was the *worst* in terms of environmental impacts.²⁴ But this critically important fact finds no mention in the FRA's DEIS for the Project. The omission is important, but also emblematic of more serious problems. Most notably, the DEIS omits information that the public – and the Agency – requires to evaluate whether AAF's assertions about the Project's commercial viability are realistic. But what little the DEIS does reveal about the Project's underlying economic and operating assumptions suggests that those assumptions are unrealistic and inconsistent on their face, if the DEIS had disclosed them.

1. The DEIS Fails to Disclose, Let Alone Evaluate, Essential Information About AAF's Economic Model

A central premise of the DEIS is that the Project will provide commercially-viable privately-run high speed passenger rail service between Orlando and Miami. *See, e.g.*, DEIS at 3-10 (concluding that AAF's preferred route "would provide a trip time consistent with the ridership target needed to sustain a viable private enterprise.") That premise underlies several conclusions in the DEIS, including: (1) the FRA's decision to exclude the alternative CSX route from serious consideration, *see* DEIS at 3-7 & 3-10; (2) the FRA's conclusion that the bulk of AAF's

²² *See* Exec. Office of the President, *Executive Order – Preparing the United States for the Impacts of Climate Change* (Nov. 1, 2013), available at <http://www.whitehouse.gov/the-press-office/2013/11/01/executive-order-preparing-united-states-impacts-climate-change>.

²³ *See* FERC Letter to Louisiana LNG Energy, LLC in Docket Number PF14-17, Paragraphs 67k, 67h & 70 (Nov. 24, 2014), available at <http://elibrary.ferc.gov/idmws/search/advResults.asp>.

²⁴ *See* Florida High Speed Rail Authority, *Orlando-Miami Planning Study Executive Summary* at 7 (Mar. 2003), <http://www.floridabullettrain.com/fhsra/uploaddocuments/p25/Exec%20Summary%20FINAL1.pdf>

intercity passengers will be diverted from cars, *see* DEIS at S-9; and (3) the conclusions that flow from point (2), such as that the diversion of car drivers will result in improved air quality and reduced vehicular accidents, *see* DEIS at 5-33 & 5-134. The DEIS forecasts that the Project will remove 336,000 cars from the road (69% of AAF's forecasted ridership) by 2016 and 1.35 million cars from the road by 2030. DEIS at 3-47. How can the agency predict the specific number of cars that will be taken off the road without providing the single most important factor in ridership, the suggested ticket price? No average Orange or Palm Beach County family will choose taking an AAF train instead of driving to Miami or Orlando unless it makes economic sense.

Nowhere does the DEIS disclose sufficient information about AAF's ticket prices and economic model to determine whether the document's central premise is correct. Simply put, although the DEIS asserts that "[t]he economic viability of the Project is dependent on ridership," DEIS at 3-5, it omits the very information that is essential to evaluating whether the Project will in fact attract a sufficient supply of riders. More specifically, the DEIS is completely devoid of any discussion of two critical topics: (1) ticket prices, and (2) the whipsaw in which AAF has placed itself with respect to ticket prices, as low ticket prices to entice riders creates serious problems for repaying the FRA's RRIF loan. Similarly, if ticket prices are relatively higher and realistic in terms of the amounts needed for repayment of the loan, then train ridership will not achieve claimed numbers and car abandonment will not occur.

First, the DEIS nowhere discloses any information, even in the form of a range of prices that AAF may charge for tickets, although that information is surely relevant to a judgment that the Project will attract riders and the public has the expertise to evaluate it instantly. The omission is especially troubling given that the widely divergent publicly-available information about AAF's plans. As of December 2, 2014, AAF's website for the Project said "pricing has yet to be determined."²⁵ But AAF clearly disclosed this information and its ridership study to its potential *investors*. What is unclear is (a) whether the Agency examined this information at all, (b) why it did not provide any of this information to the Project's potential *riders*, and (c) why it failed to engage in any discussion of what various ticket prices imply for the potential success of the Project. It is highly troubling that the FRA accepted AAF's ridership assertions based solely on the "summary" of the ridership study found at Appendix 3.3-F of the DEIS, without examining, let alone sharing with the public, the actual ridership study.

Second, the DEIS fails to examine the extent to which AAF has put itself in a whipsaw with respect to ticket prices and repayment of the FRA's proposed loan. More specifically, the DEIS fails to consider whether AAF's prices will be high enough for AAF to repay its debt while staying low enough to attract sufficient riders to fill its trains. That oversight is highly troubling given that so many of the DEIS's conclusions hinge on the self-proclaimed assumption that the Project will be commercially viable.

These points are well-made in a November 17 *Palm Beach Post* column by Frank Cerabino, "All Aboard Florida's ridership estimates a field of dreams." Among his many points, Mr. Cerabino states the following:

²⁵ All Aboard Florida, *All Aboard Florida: Train FAQs*, available at <http://www.allaboardflorida.com/facts/faqs.html> (last accessed Nov. 21, 2014).

“What will make tourists line up to spend about \$50 per person for a round-trip ticket between Miami and West Palm Beach? Maybe some things will. But to make these ridership numbers work, you’d need 1.94 million tourists lining up for the higher-priced version of South Florida rail travel every year. And if you divide that by 365 days in a year, and then divide again by the 32 daily trains, you get 166 tourists on each train between Miami, Fort Lauderdale and West Palm Beach. All year long. For every train . . . And these estimates are the conservative ones. If you look at All Aboard Florida’s rosiest projection of 5.1 million annual riders in 2019, that would put an average of 437 people on each of the 400-seat trains all year long.”²⁶

2. *The DEIS Presumes Travel Times That Are Unrealistic*

The DEIS recognizes that travel time is one of the most important factors in choosing a form of transportation and contends that one of the attractive features of the Project is that “[t]rip times would meet the 3-hour target” needed for private intercity passenger service to be commercially viable. DEIS at 3-11. But the DEIS is unduly rosy about the speed of the anticipated AAF passenger trains. As a threshold matter, the conclusion that the trip will take only 3 hours assumes that each train will stop for no more than one minute at each station. DEIS at 3-45. Yet that assumption seems highly implausible on its face. No passenger train travelling at anywhere near full capacity will be able to arrive at a stop, allow many of its passengers to exit the train with their luggage, and have all the boarding passengers enter the train in just one minute.

The DEIS also in explicably ignores total travel time – which necessarily includes not just the length of the train ride but also the time required to get to the station and from the station to the final destination. We believe this total failure to make any estimate of this additional time renders the DEIS impermissibly incomplete. How can FRA or AAF argue that a theoretical passenger arriving at the Orlando train station has completed their journey with no additional time estimate to reach destinations such as the Disney or Universal properties, or downtown Orlando? The time estimate to arrive at an AAF station and to reach the time destination is critical. Equally important, the DEIS makes no mention of the possibility that safety measures will be implemented that significantly delay the passenger trains. For example, the DEIS does not explore the possibility of imposing speed limits at the nearly 350 at-grade crossings included in the Project corridor, although such a possibility should surely be considered.

3. *AAF’s Profits Should Not be FRA’s Primary Concern*

Another troubling feature of the DEIS is that it frequently emphasizes AAF’s potential profits over all other concerns. The Agency’s hasty dismissal of three possible alternative routes – the CSX Route Alternative, the Florida Turnpike Route Alternative and the I-95 Route Alternative – displays this quality. The DEIS recognizes, for example, that some of those routes would also achieve the 3-hour target travel time, but nevertheless dismisses them as reasonable alternatives

²⁶ See Frank Cerabino, *All Aboard Florida’s ridership estimates a field of dreams*, **Palm Beach Post** (Nov. 17, 2014), http://www.mypalmbeachpost.com/news/news/state-regional/cerabino-all-aboard-floridas-ridership-estimates-a/nh82M/?icmp=pbp_internallink_textlink_apr2013_pbpstbtomyppbp_launch.

because, among other reasons, it would allegedly be too costly and time consuming for AAF to develop them. *See* DEIS at 3-10 to 3-11. Likewise, with respect to bridge safety, although the Coast Guard requested that AAF evaluate alternatives that would raise certain bridges, the FRA has in more or less final language dismissed elevating bridges as too costly and too time consuming – *for AAF*. In particular, the Agency has “determined that the significant delays, costs, and risks associated with the use of elevated structures make raising any of the corridor bridges not feasible.” DEIS at 5-27 (emphasis added). The residents of communities along the track and those who operate vessels on the impacted waterways deserve more of an explanation from a federal agency charged with such a major project. The DEIS explanation should be changed to read: “AAF’s desire for financial gain, made possible through \$1.6 billion in federal funds, outweighs public safety concerns and concerns about navigations of the waterways.”

4. *A Supplemental DEIS is Required to Address the Information Gaps*

Having failed to address the ticket price, economic model and travel time issues highlighted above, the Agency should prepare a supplemental DEIS that carefully examines those topics. The FRA should consider the range of ticket prices that AAF may charge, evaluate the impacts of those prices on AAF’s ability to fulfill the objectives of the Project and should also carefully examine whether AAF’s other assumptions (such as station dwell times) are realistic. In doing so, the Agency should keep the following considerations in mind:

- AAF must have high enough ticket prices to bring in enough revenue to pay back its substantial expectations of either RRIF funding or PAB bonds and funds to repay its junk bond level interest rate debt to private investors, but it also must have low enough ticket prices to attract sufficient riders to fill its trains and abandon their cars. The Agency should examine whether AAF can in fact thread that needle as the data relied upon in the DEIS is totally opaque to the public.
- The Agency should not overlook the cost of getting to – and the time that it takes to get to – each AAF station, whether by foot, car, public transportation, taxi or other means. No average Orange or Palm Beach County family will choose to take an AAF train instead of driving to Miami or Orlando unless it makes economic sense. And those families cannot be expected to base their ridership decisions on ticket prices and on-the-train travel times alone. They will also be looking at total door-to-door costs and time, and so should the FRA.
- An agency cannot rubberstamp information provided by an applicant without critical review. *See, e.g., Sierra Club v. Van Antwerp*, 709 F. Supp. 2d 1254, 1267 (S.D. Fla. 2009), *aff’d* 362 F. App’x 100 (11th Cir. 2010) (chastising the U.S. Army Corps of Engineers for “uncritically” accepting certain assertions made by permit applicants). Instead, federal agencies are required to ensure that the data they rely on is accurate and reliable. *See* 40 C.F.R. § 1502.24 (federal agencies must ensure the “professional integrity” of their analyses).

D. THE DEIS PROVIDES AN INADEQUATE ANALYSIS OF THE PROJECT'S SAFETY IMPACTS

1. The DEIS Does Not Accurately Identify the Project's Impacts

The overarching flaw in the DEIS's discussion of the Project's safety impacts is that the DEIS fails to adequately – or accurately – describe those impacts. And that means that the DEIS *also* fails to provide an appropriate discussion of appropriate safety risk mitigation measures. Both flaws warrant the preparation of a supplemental DEIS. More specifically, the discussion of safety impacts in the DEIS is inadequate for at least **seven** reasons:

First, the DEIS does not compare the nature and frequency of rail-related accidents under the Project with those under the no-action alternative. Yet that is exactly the sort of analysis that the DEIS is supposed to provide. NEPA requires federal agencies to engage in “reasonable forecasting” of potential impacts. *Delaware Riverkeeper Network et al. v. FERC*, 753 F.3d 1304, 1310 (D.C. Cir. 2014). Here, the agency has provided no forecast at all of rail-related accidents, let alone a reasonable one. Instead, the DEIS states that “greater frequency of trains may increase *opportunities for conflict* between trains and vehicles or people.” DEIS at S-17 & 5-132 (emphasis added). But a single vague sentence, repeated twice, about unspecified “opportunities” for “conflict” does nothing to inform the public about the nature or extent of the safety risks actually posed by the Project. Nor does it describe those risks in a manner that would satisfy the agency's obligation to take a “hard look” at them. In reality, the Project does not threaten “opportunities for conflict,” it threatens *collisions*—with both vehicles and people—and that is the topic that the agency needs to address. The agency should prepare a reasonable forecast of what collisions are likely to occur, how frequently they are likely to occur and where they are likely to occur.

Second, the DEIS also fails to identify, or take a “hard look” at, a second major safety risk posed by the Project – delays to emergency vehicles. The Project will plainly result in additional traffic delays – and dramatically longer traffic queues – at key intersections all along the North-South Corridor. See, e.g., DEIS Appendix 3.3 C, *Transportation and Railroad Crossing Analysis for the All Aboard Florida Passenger Rail Project from Cocoa to West Palm Beach, Florida*, Pages 3-16 to 3-26 (describing anticipated traffic queues and wait times).²⁷ Yet the DEIS provides no discussion at all of how those delays may impact the ability of ambulances to reach hospitals or fire trucks to reach emergency sites. Simply put, the DEIS does not forecast those impacts. Instead, the closest the DEIS comes to an analysis of this issue is to recognize that emergency vehicles may be adversely impacted during the Project's *construction*, not during its *operation*. See DEIS at 5-132. That truncated approach is not adequate, especially given the evidence that traffic delays will not merely continue during the Project's operation, they will actually get worse over time. See DEIS Appendix 3.3. C at 3-17 (comparing 2016 conditions and 2036

²⁷ This appendix is itself flawed in various ways, as discussed at length of the comments submitted by The Board of County Commissioners of Indian River County, Florida, (the “Indian River County Comments”), which CARE FL respectfully incorporates by reference here. See Indian River Comments at 18-19 (identifying at least seven shortcomings in the Appendix's methodology and analysis). Nevertheless, even accepting the Appendix's traffic congestion numbers at face value, the Appendix establishes that the Project will permanently and severely disrupt traffic flows at several important intersections.

conditions). Moreover, even with respect to the adverse impacts during construction, the DEIS's discussion is profoundly flawed. The DEIS asserts on page 5-132 that "[a]s discussed in Section 5.1.2, AAF will work with local communities to minimize disruption to traffic and to maintain emergency access." But Section 5.1.2 contains no such discussion. Simply put, the DEIS lacks any meaningful discussion of what will happen to emergency vehicles.

Third, it is no answer to these concerns to say that the agency either does not possess or cannot produce reasonable forecasts of train collisions and emergency vehicle delays. The agency is required to obtain information that is "essential to a reasoned choice among alternatives," unless the cost of doing so is "exorbitant" 40 C.F.R. § 1502.22. Here, it cannot be disputed that an accurate description of, and a reasonable forecast of, adverse safety impacts is "essential to a reasoned choice among alternatives." Indeed, the DEIS touts the Project's alleged "overall beneficial effect" on public safety as a reason for undertaking the Project. See DEIS at S-17. In these circumstances, the agency must prepare a supplemental DEIS that forecasts the adverse safety impacts of the Project and provides a meaningful basis on which to compare the Project's impacts to those of the no-action alternative and other potential alternatives.

Fourth, having failed to identify the actual specific safety impacts that may result from the Project, the DEIS's conclusion that the Project will have an "overall beneficial effect" on safety, DEIS at S-17 and 5-132, is premature. Simply put, the DEIS puts the cart before the horse. The DEIS lists a vague set of "improvements" "serving to minimize potential conflicts and their consequences," DEIS at 5-132, but because the DEIS omits a clear description of the "consequences" in the first place, there is no way for the public – or FRA decision-makers – to assess whether the "improvements" are pertinent, let alone whether they will be effective. The FRA needs to identify the safety risks posed by the Project *before* it concludes that any "improvements" associated with the Project will outweigh those risks.

Fifth, the "improvements" identified in the DEIS are also too vague to support the FRA's conclusion that the Project will be beneficial, or to support an alternative conclusion that those improvements will be adequate to mitigate the adverse safety impacts of the Project. Most notably, the DEIS indicates that the FRA "will be publishing recommendations" for the Project's 349 at-grade crossings, at some unspecified point in the future. DEIS at 5-134. But there is not one word about whether those recommendations will actually be implemented by AAF, despite clear CEQ guidance requiring a discussion of that topic. See *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations*, 46 Fed. Reg. 18026 (March 23, 1981), Question 19b ("to ensure that environmental effects of a proposed action are fairly assessed, the probability of the mitigation measures being implemented must also be discussed.") Indeed, the DEIS fails to mention evidence that AAF may actively resist the agency's safety recommendations. In March 2014, FRA Engineer Frank Fray reported that despite his support of the use of a sealed corridor, AAF officials "have openly expressed that the proposed 110 MPH segment will NOT incorporate the "Sealed Corridor" concept." See Appendix A, F. Frey, *On-Site Engineering Field Report – Part 1*, March 20, 2014 (the "March 2014 Field Report") at 2. That evidence of resistance to reasonable safety measures finds no mention in the DEIS, despite applicable CEQ guidance requiring the FRA to "acknowledge such opposition." *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations*, Question 19b. In sum, the vague promise that safety "recommendations" will be made in the future

provides no assurance that those recommendations will be pertinent to the actual risks posed by the Project, let alone that they will be implemented, even if they are pertinent. In these circumstances, the agency should prepare a supplemental DEIS after it has published its safety recommendations for the Project. *See* 40 C.F.R. § 1502.9(a) (requiring a supplemental DEIS where the initial discussion is so truncated as to preclude “meaningful analysis”).

Sixth, the DEIS’s premature conclusion that the Project will have an “overall beneficial effect” on public safety suffers from a separate, additional flaw – it is premised, at least in part, on the assertion that the Project will result in “decreased congestion and the potential for fewer vehicular crashes.” DEIS at S-18. That assertion, to the extent it concerns congestion within the Project’s rail corridor, cannot be squared with other parts of the DEIS that conclude the Project will *increase* congestion. *See, e.g.*, DEIS at S-9 (explaining that the Project “would result in some degradation in Levels of Service” along the North-South Corridor). Alternatively, to the extent the assertion about “decreased congestion” concerns congestion along the highways between Orlando and Miami, the assertion is premised on an assumption that has inadequate factual support; namely, the assumption that the Project will divert a meaningful number of riders away from the highway. As discussed in Section [III.C.1] above, the DEIS presumes that riders will be diverted, but does not provide sufficient factual information to assess the viability of that assumption.

Seventh, no mention is made in the DEIS of increased risks from additional freight train traffic that may be induced by the Project or that it is otherwise reasonably foreseeable as a result of other economic developments.

2. *The Project Will Increase the Risk of Potentially Catastrophic Collisions That Will Cause Fatalities*

Several facts illustrate that the Project will almost surely increase the risk of train collisions – collisions with cars, collisions with people and collisions with other trains. Those facts include, at a minimum, the following:

- The Project will retain 349 at-grade crossings, even though there is no genuine doubt that at-grade crossings are dangerous and present the “opportunity” for crashes.
- The Project will not merely retain the at-grade crossings, but will more than triple (from 14 to 52) the number of trains passing through those crossings each day, while also potentially nearly quadrupling (from 28.5 miles per hour to as much as 100 miles per hour) the speed of those trains.
- Pedestrian trespassing along certain parts of the Project’s corridor is “epidemic.” Frey March 2014 Field Report at 3. Yet AAF appears not to have committed to install measures designed to curtail such trespassing.
- Even assuming that the use of double-tracks and positive train control technology will help reduce the risk of collisions between *passenger* trains

and *freight* trains, there are still times when freight and passenger trains will be sharing the same track – such as when going over one-track bridges.

Regrettably, the DEIS contains almost no discussion of these facts, let alone an attempt to explain why these facts should not lead to outright rejection of the Project. Running passenger trains at speeds in excess of 79 miles per hour in the same right of way as freight trains is reckless. In Oregon, Union Pacific Railroad, the owner of a track sought to run high speed trains, has sounded the alarm about high speed passenger trains and freight trains sharing the same right of way.²⁸ The company stated that it will never allow speeds above 79 miles per hour on its tracks; anything faster would be far too dangerous. Simply put, the facts strongly suggest that there will be more frequent and more severe rail-related accidents under the Project than under the no-action alternative and the DEIS nowhere provides evidence to the contrary.

Moreover, all of the safety risks identified above are compounded by changing climate conditions. Yet the DEIS fails to grapple with that reality. The DEIS acknowledges that changing climate conditions will adversely affect the Project's critical infrastructure: "Bridge structures will have increased vulnerability over time; potential infrastructure damage may result from flooding, tidal damage, and/or storms." DEIS at 5-75. But the FRA has not integrated that fact into its examination of the safety risks posed by the Project, or into its discussion of appropriate mitigation measures. For example, the DEIS does not examine the potential for "infrastructure damage" to result in more frequent, or more catastrophic, rail-related accidents.

To fulfil its obligations under NEPA, the FRA should prepare a supplemental DEIS that carefully examines the safety risks highlighted above. It should take a "hard look" at the risk of increased train collisions—collisions with vehicles, collisions with people and collisions with other trains—by providing a reasonable forecast of where those collisions are likely to occur, how frequently they are likely to occur and how much damage they are likely to cause. It should also incorporate the risks created by changing climate conditions into that discussion. And once it has identified the safety risks, it should include a discussion of potential mitigation measures. Only at that point will the public – and FRA decision-makers – be in a position to fully understand the potential safety impacts of the Project.

3. *The Project Will Consistently Result in Increased Delays for Emergency Vehicles, Potentially Resulting in Increased Fatalities*

No question exists that the Project, with 349 at-grade crossings, will cause delays for emergency vehicles such as ambulances and fire trucks. The FRA itself has previously acknowledged as much – although not in the DEIS. Previously, in an environmental impact statement for a *different* proposed high speed rail line, the FRA warned:

²⁸ See Ben Jacklet, *Comments on high-speed rail in Oregon roll in*, **Portland Business Journal** (Jan. 29, 2013), <http://www.bizjournals.com/portland/blog/sbo/2013/01/high-speed-rail-comments-roll-in.html?s=print>.

At-grade railroad crossings hinder emergency response times when trains block the crossings.²⁹

Remarkably, the DEIS for AAF's high speed rail proposal contains no such warning – even though AAF's Project features 349 more grade crossings than the Fresno-to-Bakersfield project, which featured zero grade crossings. The FRA's omission of such a critical warning cries out for the preparation of a supplemental DEIS.

Significantly, even extremely short ambulance delays can cost lives. As Dr. Michael Collins, the Medical Director for the Jupiter Medical Center's emergency department has publicly stated in relation to the Project:

Sometimes eight seconds, fifteen seconds, thirty seconds is all we have to save a life in the emergency department. I'm very concerned about multiple trains going through our community, starting traffic jams that keep ambulances from getting to us. We get twenty percent of our patients via ambulance. We get almost all of Tequesta's ambulance patients, and the thought of them waiting behind multiple crossings during the day is worrisome to me. Well, you can say that ambulances can get through traffic jams because they have horns and sirens, but I'm also concerned about physicians that are trying to get to our hospital, obstetricians, surgeons, cardiologists, neurologists. Seconds do count in the world of critical care, and I feel that All Aboard Florida needs to address these issues to the public. They need to explain what their plan is to prevent communities from being cut off from their hospitals. In critical care times, seconds count.³⁰

E. THE DEIS FAILS TO ANALYZE PRACTICABLE ALTERNATIVES THAT WOULD NOT DETRIMENTALLY IMPACT NAVIGATION, SAFETY, AND THE ENVIRONMENT

The alternatives analysis “is the heart of the environmental impact statement.” 40 C.F.R. 1502.14. An EIS is supposed to “[d]evote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their *comparative* merits.” 1502.14(b) (emphasis added). Yet the DEIS defined the purpose of the Project so narrowly that it failed to adequately compare reasonable alternatives, specifically the alternative inland CSX route. The Agency dismissed the three alternative routes, including the CSX route, because it would be too expensive and time consuming for the company. See DEIS at 3-10 to 3-11. As discussed in Section III.A, the proposed Project would have an unacceptable detrimental impact on maritime navigation. The CSX alternative, by nature of its inland route, would not encounter and create these dangerous navigation conditions. The CSX alternative would not run through such densely populated communities, and therefore, it would not raise such striking safety concerns to communities.

²⁹ *California High-Speed Train Project Final EIR/EIS, Final Environmental Impact Report / Environmental Impact Statement and Section 4(f) Evaluation and Draft General Conformity Statement Fresno to Bakersfield Section*, at 3.11-15, available at http://www.hsr.ca.gov/Programs/Environmental_Planning/final_fresno_bakersfield.html

³⁰ A video of Dr. Collins' comments can be found here: <http://www.saveourfl.com/news-conference-jupiter-medical-center/>.

Additionally, the proposed Project represents a significant encroachment on floodplains, yet the FRA fails to explore alternatives that are not located in floodplains. This failure is detailed in Section 5 of Indian River County's Comments. *See* Indian River's Comments at 13-14. The Agency fails to illustrate why the Project must be located in floodplains, and it also fails to demonstrate why non-flood plain construction alternatives are not practicable. *Cf. Sierra Club v. Van Antwerp*, 709 F. Supp. 2d 1254 (S.D. Fla. 2009), *aff'd* 362 F. App'x 100 (11th Cir. 2010) (holding that the Army Corps of Engineers acted arbitrarily and capriciously in determining that a proposed mining project was water dependent and that there were no practicable alternatives to mining in the wetlands).

Finally, the DEIS fails to evaluate each route's vulnerability to the effects of climate change. The proposed Project would run through areas that are most susceptible to rising sea levels and storm surges. Although the proposed route will encounter these effects and would result in significant repair and mitigation costs—most likely to the taxpayer—the DEIS does not address this reasonably foreseeable impact in its alternatives analysis. As with navigation and safety concerns, the alternative CSX route runs inland and would not be anywhere near as vulnerable to the effects of climate change as the proposed route.

Thus, in order to fulfill “the heart of the environmental impact statement,” the Agency must issue a supplemental DEIS that includes a meaningful alternatives analysis addressing these important concerns.

F. THE DEIS FAILS TO ADEQUATELY ASSESS CONSTRUCTION IMPACTS

The proposed Project would be a massive undertaking that would require construction over multiple years; this would result in significant impacts on surrounding areas, including increased traffic congestion and air pollution from diesel construction equipment. Yet the DEIS merely glosses over these impacts with no substantive analyses. *See* DEIS at 5-5, 5-14, and 7-4. Indian River County does an excellent job describing this concern in its Comments. *See* Indian River's comments at 15-16. We believe these concerns are legitimate and need to be addressed by the Agency.

G. THE DEIS FAILS TO ADEQUATELY ANALYZE THE PROJECT'S INCREASED NOISE AND VIBRATION AND THE IMPACTS ON LOCAL COMMUNITIES

The DEIS greatly underestimates increases in noise levels and vibration caused by the Project. *See* Indian River's Comments at 17-21. The Agency fails to follow its own Noise Manual and uses faulty methodology to conclude that “the Project would have no permanent noise impacts.” *Id.* at 21 (quoting DEIS at 5-49). We believe these concerns are legitimate and need to be addressed by the Agency.

H. THE DEIS IMPROPERLY EXCLUDED LOCAL AUTHORITIES FROM NATIONAL HISTORIC PRESERVATION ACT CONSULTATION

Despite NHPA regulations requiring the Agency to invite local governments to participate in a consultation to identify historic and archaeological resources that could be affected by the

Project, the FRA selectively chose “certified” localities that were more likely to support the Project. *See* Indian River’s Comments at 21-24. As Indian River County explains, the flawed consultation and the DEIS failed to identify multiple archaeological and historic resources. We believe this concern is legitimate and needs to be addressed by the Agency.

I. THE DEIS FAILS TO CONSIDER THE PROJECT’S IMPACTS ON COMMUNITY REDEVELOPMENT AREAS

The DEIS fails to identify five Community Redevelopment Areas (“CRAs”) in Martin County that the Project would bisect. As Martin County explains in its Comments, the Project would have a disproportionate detrimental impact on low-income areas in the County. The DEIS does not address populations that travel primarily by walking and bicycling. Nor does it address the detrimental impact it would have on small businesses in these CRAs. *See* Martin County’s Comments at 25-31, ex. N. These are serious concerns that need to be addressed by the Agency.

J. THE DEIS BASES ITS ENDANGERED SPECIES ANALYSIS ON INCOMPLETE OR INADEQUATE WILDLIFE DATA

Martin County raises important concerns related to the DEIS’s flawed endangered species analysis. *See* Martin County’s Comments at 21-24. The DEIS fails to (1) identify preserved rare and unique upland areas (scrub), (2) provide potential impacts on state and federal listed animal and plant species, and (3) provide mitigation measures for these listed animal and plant species. We urge the Agency to examine these significant concerns.

IV. IF THE PROJECT GOES FORWARD, THE FRA MUST ENSURE THAT APPROPRIATE AND MEANINGFUL MITIGATION MEASURES ARE TAKEN

CARE FL is opposed to the Project as currently conceived and urges the FRA to reject the Project. At a minimum, the FRA should prepare a supplemental DEIS that adequately addresses all of the concerns identified above, as well as those raised by other parties submitting comments on the DEIS. But if the FRA moves forward with preparation of a Final EIS, it must ensure that appropriate mitigation measures are implemented, and it must develop an appropriate plan for monitoring the effectiveness of those measures.

It is impossible for CARE FL to identify – and comment on – all appropriate mitigation measures until the FRA (i) provides a comprehensive and accurate account of the Project’s actual safety impacts, and (ii) publishes its safety recommendations for the Project. Nevertheless, even in the absence of such information, it is clear that the Agency should implement the following three mitigation measures:

First, the Project should not go forward unless the St. Lucie, Loxahatchee, and New River bridges are replaced in their entirety with modern, safe bridges that do not adversely impact navigation and do not create adverse noise, vibration or visual impacts on the surrounding communities.

Second, the Project should not go forward without implementation of a full suite of rail-related safety measures – not merely the vague plans discussed in the DEIS (such as the preparation of a

comprehensive safety plan), but also such the creation of a sealed corridor at all at-grade crossings and the installation of pedestrian gates at where sidewalks are present on either side of the rail line, at the expense of the project, not the adjoining counties, cities and towns.

Third, the FRA should develop a comprehensive mitigation monitoring plan, to ensure that any mitigation measures discussed in the final EIS and committed to by the Agency and AAF are in fact implemented.

Indian River and Martin Counties have also identified other specific mitigation measures that should be taken. Finally, the FRA should also compare – in a supplemental DEIS – the pros and cons of imposing speed limits at each grade crossing. It should include in its discussion an examination of whether such limits would reduce the risk of potential accidents, and if so, would those benefits be offset by increased traffic delays.

V. CONCLUSION

The Project is poorly conceived and threatens unacceptable adverse impacts to the safety and welfare of Florida's citizens. For those reasons, the FRA should reject the Project. At a bare minimum, the FRA should refrain from proceeding with the Project until it prepares a supplemental DEIS adequately addressing the concerns raised in these comments and in the comments submitted by other concerned citizens and entities.

VI. APPENDIX

- A. Frank A. Frey, **U.S. Department of Transportation Federal Railroad Administration**, *On-Site Field Engineering Field Report – Part 1 – All Aboard Florida* (Mar. 20, 2014)
- B. Frank Cerabino, *All Aboard Florida's ridership estimates a field of dreams*, **Palm Beach Post** (Nov. 17, 2014), http://www.mypalmbeachpost.com/news/news/state-regional/cerabino-all-aboard-floridas-ridership-estimates-a/nh82M/?icmp=pbp_internallink_textlink_apr2013_pbpstubtomypbp_launch

VI. APPENDIX

- A. Frank A. Frey, **U.S. Department of Transportation Federal Railroad Administration**, *On-Site Field Engineering Field Report – Part 1 – All Aboard Florida* (Mar. 20, 2014)



U.S. Department of Transportation
Federal Railroad Administration

Office of Safety RRS-23
Highway Rail Crossing and Trespasser Program Division

ON-SITE ENGINEERING FIELD REPORT - Part 1

— All Aboard Florida —

Background:

FRA Headquarters, in conjunction with the Region 3 office, assisted in the diagnostic safety review of the Florida East Coast (FEC) Railway grade crossings between Miami-Dade to St. Lucie counties. This is due to High Speed Passenger Rail service being planned between Miami and Orlando, known as "All Aboard Florida". Beginning February 4, 2014 and ending on March 7, 2014, a total of 263 public and private grade crossings were assessed. Participants included officials from Florida Department of Transportation (FDOT), FEC, All Aboard Florida (AAF); including local city and county officials at some locations.

For the purposes of this report, Part 1 represents the diagnostic review taken place from Miami-Dade to St. Lucie Counties. Part 2 designates the diagnostic review from Indian River County to Cocoa Beach, which is expected to occur in mid-to-late June 2014. There are approximately 90 grade crossings in Part 2. The segment between Cocoa Beach and Orlando will be designed for 125 MPH, however, AAF will not be traversing over any at-grade crossings along that rail corridor.

Scope:

Crossing locations between Miami to north of West Palm Beach are being designed for a maximum authorized speed of 79 MPH. The 110 MPH segment begins/ends at 30th Street in West Palm Beach (milepost 297.40), and continues through the Private Road Crossing in Indrio (milepost 233.90). Within the 110 MPH segment, train speeds are lowered to conventional rail limits where civil constraints exist; such as curves or draw bridges, which are noted on the accompanying field design plans.

Currently the design plans are at 30%. The next reiteration will be at 90%. Therefore, the decisions for the grade crossing signaling equipment and warning devices will be determined fairly soon.

The existing crossing signaling equipment contain a mix of signal cases and relay houses, equipped with either Phase Motion Detectors (PMD-1) or HXP 3R2's highway crossing processors.

Each crossing location will eventually consist of relay houses equipped with GE Transportation's ElectroLogIXS XP4 for constant warning time as part of this project. For 110 MPH, the crossing circuits beyond the 79 MPH standard will utilize a GE device linked through the PTC system for the advanced crossing starts. The technology will diagnose a health check to determine whether or not all roadway/pedestrian gates are in the down position.

Results:

Of the 263 grade crossings in Part 1, there are 57 crossing locations affected for Sealed Corridor treatments within the 110 MPH territory. Officials from All Aboard Florida passenger rail project (herein the "Project") have openly expressed that the proposed 110 MPH segment will NOT incorporate the "Sealed Corridor" concept as outlined in FRA's Highway-Rail Grade Crossing Guidelines for High-Speed Passenger Rail, Version 1.0 (*November 2009*). They stated that since these are "guidelines, not regulations" as quoted on page *iii*, in which they are not obligated to incorporate any of the described crossing treatments as illustrated in the document. The Project estimates that in doing so would incur an additional financial burden of about \$47 mil.

In my professional opinion, I respectfully disagree with the Project's approach in that they are not exercising appropriate safety practices and reasonable care when designing for High Speed Passenger Rail service. I explained to the entire diagnostic team how important it was to adopt the principles of the Sealed Corridor approach. However, it was clearly evident that the Project was not pursuing such concept.

As a result, the Project has directed their signaling engineering consultants to design crossings to ONLY accommodate for the additional track while complying with the MUTCD - but not to incorporate any of the Sealed Corridor treatments. Furthermore, since there is a completely different philosophical view towards safety between the Project and I, the accompanying marked-up design plans and field notes are notably different from the Project's design plans; particularly along the 110 MPH segment. The Project has been maintaining a running log noting my Sealed Corridor recommendations.

Officials from FDOT's Rail Office are not taking a position, one way or the other, at this time.

Safety Recommendations:

The following are recommendations made to the Project based upon my on-site field assessments during the diagnostic safety review:

- A. Pedestrian gates** – there are certain locations along the corridor in which sidewalks are present on both sides of the railroad right-of-way, but do not follow through. Some of these sidewalks do not comply with today's ADA's standards, however pedestrian travel is evident due to the worn foot path on the surface, and general witnessing of usage. Typically the roadway gate covers the entrance side of the adjacent sidewalk, but there are no pedestrian gates on the opposite quadrants. The Project stated if there is no agreement with the city or county for the service and maintenance of a pedestrian gate assembly, they will not install them.

Trespassing is an epidemic along this corridor. Rather than encourage it, it is recommended per my field notes at those particular locations to equip sidewalk approaches with a visual and gated barrier. This is to provide safe passage of pedestrians through a very active rail line and prevents those from walking into an open railway corridor; or directing them onto the street – irrespective if there is an agreement or not.

- B. Vehicle Presence Detection** – for those public and private crossings between 80-110 MPH in Part 1 to be equipped with a Vehicle Presence Detection ("VPD") system. The entire FEC corridor is equipped with Cab Signaling control. Presence detection will serve as a long term obstacle system, where the presence of a vehicle within the crossing area for a fixed length of time would be reported as an alarm through the remote monitoring system, irrespective of the approach of a train. Subsequently, for those 3-Quadrant and 4-Quadrant gated grade crossings between 80-110 MPH (as identified further below), it is recommended that either through the activation of a loop detector and/or a vertical exit gate (indicating a roadway vehicle is occupying the crossing) that a vehicle is detected by the train as a "feedback loop" of information; resulting in a loss of cab-signals, thus placing the train in an automatic speed restriction.

Motor vehicles stalled, or trapped on a crossing due to queuing, present a derailment hazard; and in multiple track territory or where freight equipment is standing on adjacent sidings or industry tracks, derailments can result in catastrophic secondary collisions. Therefore, presence detection providing feedback to the train control system to high speed

trains traveling along this FEC corridor be active in order to minimize the possibility of derailments as well.

Recommending a VPD system is due to the following safety reasons:

1. Field observations with vehicular traffic stopping on tracks
2. Safety concerns expressed by city, county and FDOT officials
3. Several crossings with reduced or no vehicle clearance at roadway T-intersections
4. Vehicles yielding to oncoming traffic while on tracks at non-signalized T-intersections
5. Motorists / Commercial Vehicles queuing over tracks due to 4-way stop intersection, and vehicles entering adjacent driveways and parking lots
6. The multiple track surfaces enables motorists to make U-turns or cut thru's easier
7. Severely skewed crossings
8. Acute-angled crossings with main gates perpendicular to the vehicular roadway

C. Sealed Corridor Treatments - the following grade crossing locations are the recommended Sealed Corridor Treatments required by the Project to install:

Four-Quadrant Gates (also referred as exit gates) (41)			
Street Name	City/Town	Milepost	DOT #
30 th Street	West Palm Beach	297.40	272 406 J
Inlet Blvd.	Rivera Beach	295.45	272 400 T
Flagler Street	Rivera Beach	295.15	272 399 B
Silver Beach Road	Lake Park	293.75	272 389 V
Park Ave	Lake Park	293.30	272 387 G
Richard Road	Palm Beach Gardens	292.20	272 385 T
Lighthouse Drive	Palm Beach Gardens	291.70	272 384 L
RCA Blvd.	Palm Beach Gardens	290.30	272 382 X
Fred Small Road	Jupiter	286.20	273 020 P
Toney Penna Dr. *	Jupiter	284.20	272 378 H
Gleason Street	Hobe Sound	274.50	272 367 V
Bridge Road	Hobe Sound	274.10	272 366 N
Pettway Street	Hobe Sound	272.70	272 365 G
Crossrip Street	Salerno	271.40	272 362 L
Osprey Street	Salerno	270.90	272 934 K
Cove Road	Salerno	267.14	272 359 D
Broward Street	Salerno	266.80	272 358 W
Salerno Road	Salerno	266.60	272 357 P
Seaward Street **	Salerno	266.50	272 356 H

Monterey Road	Stuart	263.30	272 353 M
SR A1A	Stuart	262.50	272 350 S
Florida Street	Stuart	262.30	272 349 X
Palmetto Drive	Rio	257.40	272 342 A
Jenson Beach Blvd.	Rio	256.80	272 340 L
Pitchford Land***	Rio	256.20	272 338 K
Skyline Drive	Rio	255.50	272 337 D
County Line Road	Rio	255.30	272 336 W
Walton Road	Walton	252.50	272 332 U
Midway Road	Walton	246.30	272 331 M
Savannah Road	Fort Pierce	243.80	272 330 F
No. Bch. Causeway	Indrio	239.80	272 218 U
Shimoner Ln. ***	Indrio	239.50	272 217 M
Tarmac Road***	Indrio	239.20	272 215 Y
St. Lucie Lane	Indrio	238.80	272 214 S
Chamberlain Blvd.	Indrio	238.40	272 213 K
Milton Road	Indrio	237.80	272 211 W
Torpey Road	Indrio	237.10	272 210 P
Rouse Road	Indrio	236.70	272 209 V
Michigan Street	Indrio	236.10	272 208 N
Wilcox Road	Indrio	235.60	272 207 G
Harbor Branch Rd	Indrio	235.10	272 206 A

* - Last crossing location (northbound) for proposed Tri-Rail service

** - Recommend to be CLOSED

*** - Private Crossing

100-foot Non-traversable Medians * (7)

Street Name	City/Town	Milepost	DOT #
36 th Street	West Palm Beach	297.10	272 405 C
45 th Street	West Palm Beach	296.65	272 403 N
49 th Street	West Palm Beach	296.30	272 240 G
County Line Road	Hobe Sound	280.90	272 372 S
Park Road	Hobe Sound	277.70	272 370 D
SR A1A **	Salerno	268.65	272 360 X
Avenue A	Fort Pierce	241.30	272 238 F

* **Please note:** if for any reason the Project and the respective municipality cannot agree on the median treatment, then those location(s) be equipped with exit gates.

** **Medians to be at least 150-feet each approach due to severe roadway skew.**

Three-Quadrant Gates (due to a median present on the opposite side) (6)

Street Name	City/Town	Milepost	DOT #
Blue Heron Blvd.	Rivera Beach	294.90	272 390 P
Burns Road	Palm Beach Gardens	290.80	272 383 E
Hood Road	Palm Beach Gardens	288.50	272 380 J
Donald Ross Road	Palm Beach Gardens	287.20	272 379 P
Indiantown Road	Jupiter	283.60	272 377 B
Orange Avenue	Fort Pierce	241.50	272 239 M

Private (6 locations within 110 MPH)

Street Name	City/Town	Milepost	DOT #
Miracle Way *	Rio	257.10	272 341 T
Pitchford Lnd **	Rio	256.20	272 338 K
Shimoner Ln **	Indrio	239.50	272 217 M
Tarmac Road **	Indrio	239.20	272 215 Y
Private Road *	Indrio	234.50	272 205 T
Private Road *	Indrio	233.90	272 204 L

* - Recommend locked gate with procedures seeking permission from R.R. dispatch to cross.

** - Recommend the Project to equip with Four-Quadrant Gates (including VPD)

Closed (17) Please note: Officials from the city or county are not taking a position, one way or the other, at this time.

Street Name	City/Town	Milepost	DOT #
179 th Street	Aventura	353.60	272 602 R
141 st Street *	North Miami Beach	356.12	272 609 N
Third Street	Hallandale	350.30	272 591 F
Monroe Street	Hollywood	349.03	272 588 X
Fillmore Street	Hollywood	348.52	272 585 C
Garfield Street	Hollywood	348.07	272 582 G
Dania Blvd *	Dania Beach	345.94	272 574 P
First Street *	Dania Beach	345.81	272 573 H
22 nd Street	Fort Lauderdale	342.96	272 566 X
9 th Street	Fort Lauderdale	341.80	272 661 N
6 th Street *	Fort Lauderdale	341.56	272 559 M
5 th Street *	Fort Lauderdale	341.45	272 558 F
2 nd Street	Pompano Beach	333.31	272 534 S
4 th Street	Deerfield Beach	327.41	272 513 Y
2 nd Street	Deerfield Beach	326.81	272 511 K
Hunter Street	West Palm Beach	303.18	272 450 W
Seaward Street **	Salerno	266.50	272 356 H

* - or possible one-way

** - only crossing to be closed along 110 MPH segment

Conclusion:

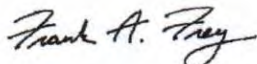
Based upon my professional background and experience in regards to grade crossing safety, I strongly recommend officials from All Aboard Florida to adhere to the principles as outlined in the FRA's guidelines for Emerging High-Speed Rail (80-110 MPH). In doing so incorporates the optimum safety practices in the engineering and design of their crossing locations for the following reasons:

- I. The operating dynamics are significantly changing within the existing environment of the grade crossings, along with an already an active freight operation that will include:
 - The addition of 16 round-trip trains (32 total) at 110 MPH
 - The eventual inclusion of Tri-rail Commuter Rail service, which will add 74 trains.
 - Changing from single track to multiple track configurations.
- II. Densely settled neighborhoods with congested roadways
- III. As many as 5 traffic lanes in the oncoming direction at T-intersections

In summary, as the travelling public begins to assimilate to a substantial increase in railroad operations - by incorporating enhanced railroad signaling technology and increased active highway warning devices are paramount to ensuring safety awareness as both entities interact with one another. Therefore, equipping crossing locations with the recommended actions, as outlined above in this report, will dramatically reduce potential safety hazards and catastrophic events.

Report Respectfully Submitted By:

Frank A. Frey, Gen. Engineer-HSR
Federal Railroad Administration | U.S. DOT
1200 New Jersey Avenue, SE
RRS-23 | W33-447
Washington, DC 20590
(202) 493-0130
iPhone (202) 738-2195
frank.frey@dot.gov



March 20, 2014

VI. APPENDIX

- B. Frank Cerabino, *All Aboard Florida's ridership estimates a field of dreams*, **Palm Beach Post** (Nov. 17, 2014), http://www.mypalmbeachpost.com/news/news/state-regional/cerabino-all-aboard-floridas-ridership-estimates-a/nh82M/?icmp=pbp_internallink_textlink_apr2013_pbpstbtomypbp_launch

Cerabino: All Aboard Florida's ridership estimates a field of dreams
The Palm Beach Post

By Frank Cerabino

Now that the groundbreaking of the All Aboard Florida station in West Palm Beach has begun we can all look forward to the near future when 3.4-5.1 million train passengers a year will be stopping or passing through the yet-to-be-built downtown station.

At least that's the projected figures from a ridership survey proffered by the rail company.

Where exactly are all these future riders? Who knows?

They weren't at the groundbreaking on the new station. It was closed to the public. Maybe they were riding Tri-Rail that day. Last year, Tri-Rail, a government subsidized rail service between Miami and West Palm Beach, had 4.4 million riders.

You think these rail commuters are going to jump to All Aboard Florida for a quicker trip with fewer stops and more comfort?

Maybe some will.

But considering that you can get from Miami to West Palm Beach on Tri-Rail for \$6.90, and that the Miami-to-West Palm Beach ticket on All Aboard Florida has been projected to be as low as \$23.77, I'm guessing all those job commuters and students I see on Tri-Rail aren't waiting for the day that they can more-than-triple their commuting costs.

Public transportation in South Florida is essentially what people do when they don't have a better option.

So maybe it's the tourists who will bring this gleaming new All Aboard Florida station in West Palm Beach to life.

Let's look at the math.

The ridership survey's conservative estimate is that 1.94 million people a year will ride All Aboard Florida just between its Miami, Fort Lauderdale and West Palm Beach stations. And then another 1.53 million will be taking the train each year between the South Florida stations and Orlando, the line's other stop.

When you add all those short and long-haul trips, you get the 3.47 million that is the line's conservative estimate of expected riders for the year.

There are 16 trains going each way every day, and a capacity of 400 seats on each train. So you can break down these yearly estimates in numbers that are easier to envision.

It breaks down to 9,509 riders a day. And if you divide them equally over the 16 trips going north and 16 trips going south each day, you end up with each train car filled with 297 riders — making each train three-quarters filled.

Do you believe that?

Do you think that the 9 p.m. southbound train pulling into West Palm Beach on a Monday in late August is going to have nearly 300 people aboard?

I don't either.

Well, that's just an average. So maybe the summer trains will be nearly empty. OK, if so, that would mean that 600 or 700 people would have to be riding those 400-seat trains during the tourist season.

And according to the projections, most of those riders will be just going between Miami and West Palm Beach.

For what, exactly? What will make tourists line up to spend about \$50 per person for a round-trip ticket between Miami and West Palm Beach?

Maybe some things will. But to make these ridership numbers work, you'd need 1.94 million tourists lining up for the higher-priced version of South Florida rail travel every year. And if you divide that by 365 days in a year, and then divide again by the 32 daily trains, you get 166 tourists on each train between Miami, Fort Lauderdale and West Palm Beach. All year long. For every train.

That's putting a lot of pressure on the quilt shows at the Palm Beach County Convention Center.

And these estimates are the conservative ones. If you look at All Aboard Florida's rosiest projection of 5.1 million annual riders in 2019, that would put an average of 437 people on each of the 400-seat trains all year long.

So I look at this month's groundbreaking for the All Aboard Florida station in West Palm Beach as more of an act of faith than an act of construction.

Like that heart-warming tale of the baseball diamond carved out in an Iowa cornfield, we've entered the realm of magical realism, a build-it-and-they-will-come era.

We're building a track of dreams, a dream that's a lot easier to believe if you avoid looking at the numbers.

See the original article here: [The Palm Beach Post](#)



Audubon FLORIDA

October 27, 2014

Mr. John Winkle,
Federal Railroad Administration,
1200 New Jersey Avenue,
SE Room W38-311,
Washington, DC 20590
AAF_comments@vhub.com

1101 Audubon Way
Maitland, Florida 32751
(407) 620-5178
Chlee2@earthlink.net

**RE: All Aboard Florida Draft Environmental Impact Statement and Section 4(f)
Evaluation**

Dear Mr. Winkle:

Audubon Florida herein submits its comments on the Draft EIS concerning this project and offers the following recommendations concerning issues important to the programs and objectives of Audubon Florida. We reviewed all of the sections of the EIS and its appendices, with particular regard to wetland, wildlife, protected species and habitat impacts. We believe that other than the matters pertaining to wetlands, wildlife corridors, the St. Johns River and Taylor Creek crossings and the Scrub Jay commented upon below, the EIS adequately deals with and proposes resolution of the issues within Audubon's area of interest.

(1) Impact upon transportation patterns, greenhouse gases, and climate change –

Audubon Florida agrees with the following conclusions regarding the benefits of the All Aboard Florida project which are documented in the Draft EIS:

Riders for AAF are expected to be primarily diverted from automobile modes (69 percent of forecast ridership). The Project would have the beneficial impact of removing 335,628 auto vehicle trips per year from the regional roadway network in 2016 and 1.2 million vehicles in 2019.

The proposed passenger rail service would divert 10 percent of its long-distance riders from private inter-city motorbus services, which totals approximately 152,600 annual bus passenger trips per year. The proposed service would divert 10 percent of its riders from the air service market, which totals approximately 152,600 annual aviation passenger trips per year. Two percent of the AAF long-distance ridership is forecast to come from Amtrak passenger rail services. In 2019, this amounts to approximately 31,000 annual trips diverted from Amtrak which is about 4 percent of Amtrak's 2012 ridership in South Florida.

Calculations for emission of greenhouse gases (GHG) carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O) show the Project would decrease emissions as a result of decreased automobile VMT. CO₂ emissions would decrease by 19,617 tons/year in 2019 and 31,477 tons/year in 2030. CH₄ emissions would decrease by 4.7 and 5.7 tons/year, respectively and N₂O emissions by 5.0 and 6.1 tons/year in 2019 and 2030.

In addition to benefits related to the reduction of greenhouse gas emissions, we also believe that there are substantial benefits to the environment that will result from this project through the avoidance of the construction of new roads, and the reduction in need for the expansion of highways due to the 335,628 vehicle trips removed from Florida highways each year by the project. Reduction of road construction will alleviate or avoid future adverse impacts to wetlands, and wildlife habitat. While it is difficult to quantify the dimensions of this benefit, it is clear that the reduction of traffic by 335,628 annual vehicle trips on the Florida Turnpike and Interstate 95 (the roads primarily serving Orlando–Miami traffic movements) will have significance in preserving the available capacity of these existing highways.

(2) Wetlands and Wildlife Corridor Impacts—

The north-south leg of the All Aboard Florida route traverses a distance of a distance of 128.5 miles and impacts approximately 2+- acres of wetlands. The north-south leg is also sandwiched between highly developed coastal residential areas, and the existing north-south alignments of Highway U.S. 1 and Interstate 95. Wildlife corridor movements for terrestrial animals crossing the north-south leg are also nominal.

The east-west leg of the All Aboard Florida route traverses a distance of 32.5 miles, parallels and is essentially co-located with State Road 528, otherwise known as the “Beachline Expressway”. SR 528 is planned by DOT and the Central Florida Expressway Authority to become a “supercorridor” between Orlando and the Port Canaveral area. Further expansion of SR 528, including additional rail lines, pipelines, and highway lanes is anticipated.

Three possible variants of this corridor are examined in the Draft EIS. Depending upon which of these variants is ultimately chosen, wetland impacts would range between 128 and 165 acres.

The 32.5 mile east-west leg will thus require significant wetland mitigation.

All of the wetlands impacted on the east-west leg are associated with previously impacted areas immediately adjacent to the right of way of SR 528. Further, all of these wetlands are “in the shadow” of the existing roadway, and its ongoing water quality and wildlife impacts (primarily roadkill and blockage of corridors).

We believe that the Draft EIS has significantly understated the opportunity associated with the All Aboard Florida project to improve connectivity of wildlife corridors in the north/south

direction crossing SR 528. The original design of this highway occurred prior to any cognizance about the importance of wildlife corridors. The “Florida Wildlife Corridor” (<http://floridawildlifecorridor.org/maps/>) constitutes one of the wildlife corridors crossing SR 528 and the prospective All Aboard Florida route. While the proposed design of the All Aboard Florida project will not necessarily result in a significant reduction of connectivity, properly focused mitigation measures for the wetland losses documented in the Draft EIS could substantially aid in improving connectivity. We recommend that the Final EIS assess the potential of using the mitigation requirements arising from wetland loss to re-establish better connectivity across the All Aboard Florida rail line and SR 528. The construction of additional wildlife crossings and wetland connections at numerous locations on the east-west leg of the All Aboard Florida route would be the highest value outcome for mitigation associated with the All Aboard Florida project. In addition to the All Aboard Florida Project, the reconstruction of SR 528 over time as a multi-modal “supercorridor” will provide opportunities for wildlife corridor enhancements. An integrated plan for such enhancements should be developed.

With regard to the crossing of The St. Johns River and Taylor Creek, the Draft EIS indicates that the crossing “...would use a series of bridges and semi-retained fill to cross Taylor Creek and the St. Johns River.” The Draft EIS indicates that All Aboard Florida project bridge spans for the St. Johns River would be 550 feet, and the bridge span for Taylor Creek would be 150 feet. These bridge lengths are nearly identical to the existing bridges present on SR 528 for the St. Johns River and Taylor Creek. When the original SR 528 design was developed in the 1960’s knowledge about the St. Johns River floodplain, hydrology, and wildlife corridors was limited or non-existent. It is clear from an examination of the current crossing that the vast majority of the crossing of the St. Johns River and Taylor Creek Floodplain is accomplished on a filled causeway (“semi-retained fill”).

The actual width of river wetlands at the SR 528 crossing is in the range of 6,000 feet. The current highway design with a majority of the crossing accomplished on a filled causeway results in a constriction of flow of the St. Johns River and Taylor Creek during periods of high water. The St. Johns River consists of a braided stream at this location, and a view of aerial photographs clearly documents the fact that numerous parts of the braided river channel are blocked and disconnected by the existing SR 528 filled causeway.

We believe that the Final EIS should assess the benefits of substantially lengthening the bridged sections for of the All Aboard Florida project where it crosses the St. Johns River and Taylor Creek. Such bridging would be in anticipation of the removal of fill and provision of additional bridging on SR 528 at this location as the road is reconstructed toward its ultimate “supercorridor” configuration.

(3) Scrub Jay and Scrub Jay Habitat Impacts-

On the 32.5 mile east-west leg of the All Aboard Florida Route from Cocoa to the Orlando Airport, the EIS documents that depending upon which route variant is chosen, between 62.3 and

82.9 acres of potential habitat suitable for some level of Scrub Jay utilization may be affected, although more detailed surveys have not clearly indicated presence of Scrub Jays within the proposed project alignment variants.

On the 128.5 mile north-south leg of the All Aboard Florida Project there is no direct impact in terms of habitat loss to any habitat with documented Scrub Jay use, or potential. However, the route does pass adjacent to and in some cases directly through documented habitat occupied by Scrub Jays which is used for nesting. Most of this habitat is located on public lands that have been acquired for conservation by local, state, and federal agencies. Detailed rare species surveys are provided as an appendix to the Draft EIS (<https://www.fra.dot.gov/eLib/Details/L15945>). These surveys, conducted by John Miklos of Bio-Tech Consulting Inc. document the presence of Scrub Jays in many of these locations, and also document the fact that Scrub Jays were seen flying across the existing Florida East Coast Railway right of way and tracks.

Previous studies and analysis of the impact of highways and moving vehicles traversing known Scrub Jay habitat with active Scrub Jay populations has resulted in the conclusion that Scrub Jays are vulnerable to mortality due to collisions with moving vehicles. Further, the productivity of Scrub Jay habitat in terms of supporting active family groups of Scrub Jays is depressed in the vicinity of highway crossings through such habitat.

All Aboard Florida proposes to operate 110 mph train service through or immediately adjacent to numerous areas of public conservation land where Scrub Jays are present as a result of this project. Where the All Aboard Florida rail service passes through or adjacent to public conservation land parcels with documented Scrub Jay populations it can be reasonably predicted that Scrub Jay mortality (incidental take within the meaning of the Endangered Species Act) will occur over time. While it is not possible to predict the extent and rate of this mortality and incidental take, the factors contributing to potential collisions with Scrub Jays increase with the speed of train sets, and the frequency of train set movements. As ridership increases and additional train set movements occur, these impacts can be expected to escalate.

Endangered Species Act coordination meetings held in conjunction with preparation of the Draft EIS (<https://www.fra.dot.gov/eLib/Details/L15967>) included discussion of “high fences” as a possible mitigation method to avoid this potential mortality and incidental take. Our viewpoint is that the concept of fencing to discourage or prevent Scrub Jay flight across the rail line would be extremely expensive, difficult to maintain, and potentially counterproductive. Nonetheless, we believe that is necessary that the Final EIS and the All Aboard Florida project substantively address Scrub Jay mortality and incidental take due to collisions with train sets in the Final EIS. It is also appropriate to mitigate for the loss of potential Scrub Jay habitat associated with construction of the east-west leg of the All Aboard Florida project.

Our overall conclusion regarding the health and sustainability of Scrub Jay populations is that active management of Scrub Jay habitat by public land managers is crucial to the survival of Scrub Jay populations. Where aggressive management, including prescribed fire and mechanical

vegetation management are deployed to prevent the development of closed, dense canopy oak hammocks that eventually evolve (without management) to replace scrub, Scrub Jay populations tend to remain stable and can expand and become more robust. Public land managers are typically limited in carrying out adequate management of scrub properties due to budgetary constraints. In our view, the best mitigation for potential habitat loss and the likely Scrub Jay mortality and incidental take that will likely be caused by the All Aboard Florida project would be establishment of an ongoing fund to support more aggressive management of scrub habitat on the public conservation lands properties through which the All Aboard Florida north-south alignment passes, or which are adjacent to this All Aboard Florida route. Locations where the provision of scrub habitat management support would be a beneficial mitigation strategy are:

Helen and Allan Cruikshank Sanctuary, Brevard County
Jordan Scrub Sanctuary, Brevard County
Valkaria Scrub Sanctuary, Brevard County
North Sebastian Conservation Area, Indian River County
Indrio Scrub Preserve, St. Lucie County
DJ Wilcox Preserve, St. Lucie County
Savannahs Outdoor, St. Lucie County
Savannahs Preserve, St. Lucie County
Walton Scrub, St. Lucie County
Seabranh Preserve State Park, Martin County
Jonathan Dickenson State Park, Martin County
Hobe Sound National Wildlife Refuge, Martin County

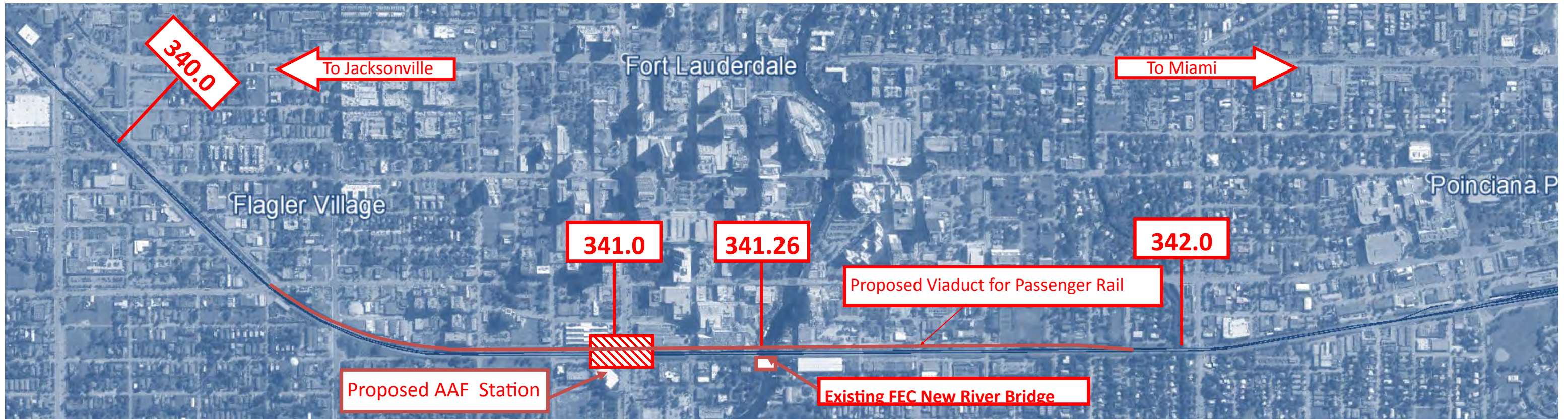
Conclusion

If adequate steps are taken to resolve the issues outlined above, the position of Audubon Florida is that the All Aboard Florida project will have significant net-positive environmental benefits. The primary benefits will occur through the reduction of greenhouse gas emissions that are contributory to climate change and a factor in sea level rise, and the avoidance or postponement of highway construction projects due to the provision of an effective and practical alternative public transportation system. We urge that the Final EIS incorporate provisions to address the issues outlined above.

Sincerely,

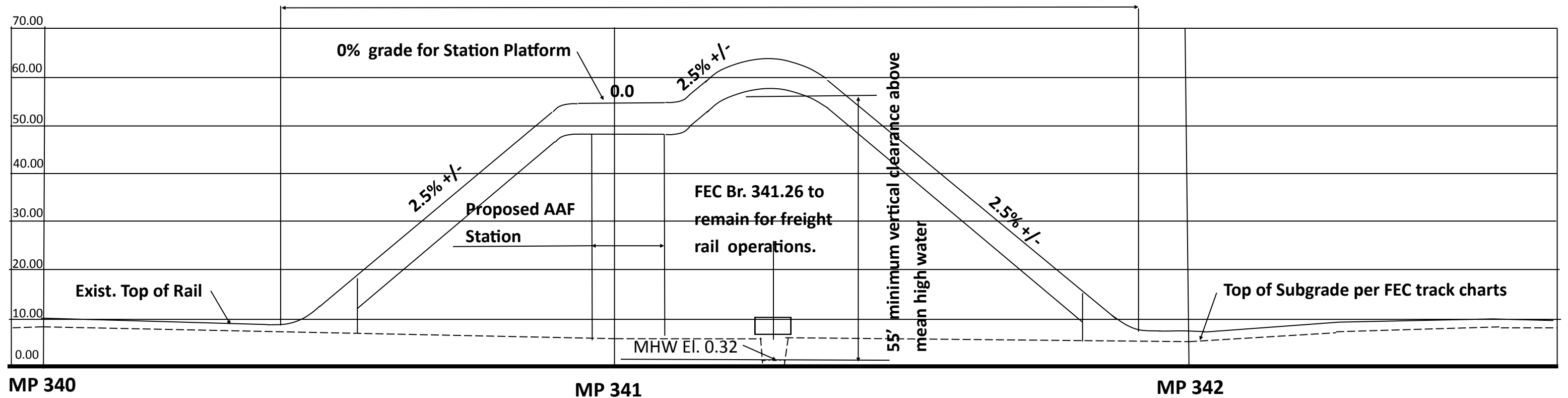
A handwritten signature in black ink, appearing to read 'Charles Lee', with a stylized, flowing script.

Charles Lee
Director of Advocacy



PLAN FEC Alignment from MP 340 to MP 342

8000' +/- viaduct for passenger rail operations

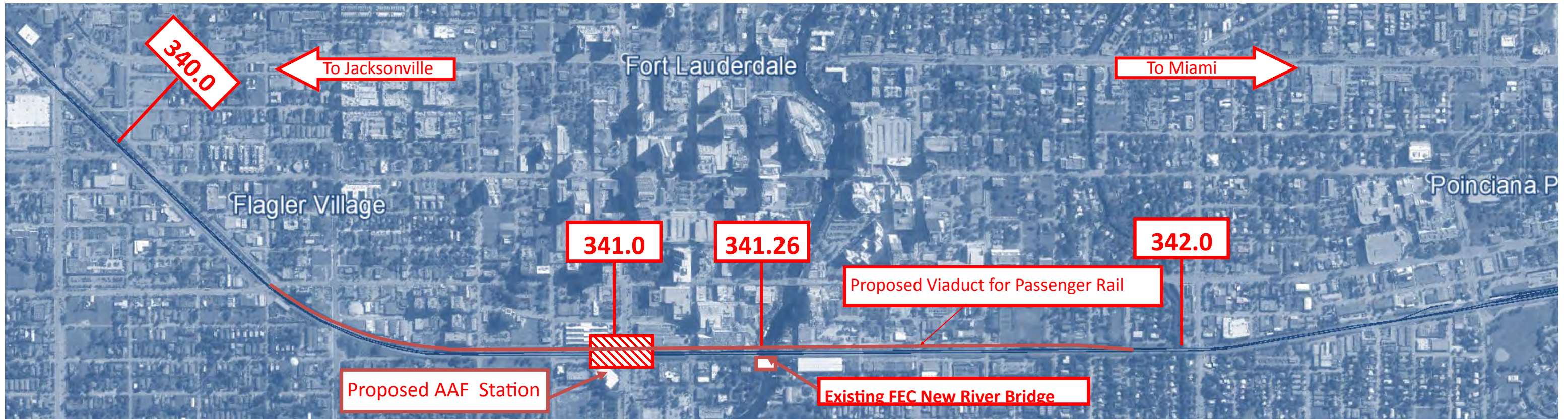


PROFILE FEC Alignment from MP 340 to MP 342

CONCEPTUAL PLAN FOR AAF & TRI-RAIL PASSENGER RAIL FIXED BRIDGE VIADUCT OVER THE NEW RIVER

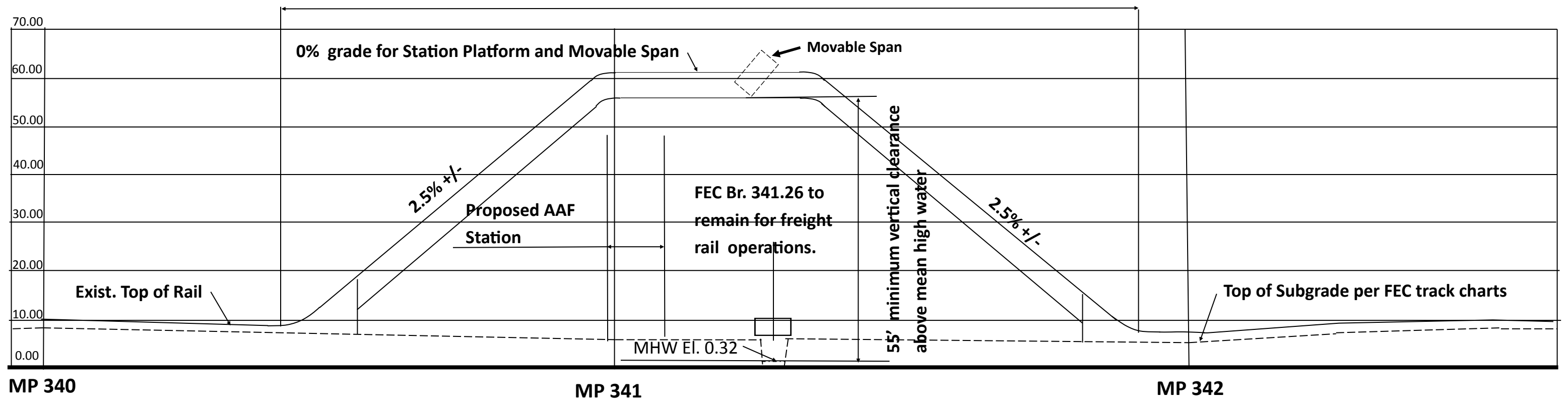


CONCEPTUAL RENDERING OF HIGH LEVEL FIXED PASSENGER RAIL VIADUCT OVER THE NEW RIVER



PLAN FEC Alignment from MP 340 to MP 342

8000' +/- viaduct for passenger rail operations



PROFILE FEC Alignment from MP 340 to MP 342

CONCEPTUAL PLAN FOR AAF & TRI RAIL PASSENGER HIGH LEVEL VIADUCT WITH MOVABLE SPAN OVER THE NEW RIVER



CONCEPTUAL RENDERING OF HIGH LEVEL MOVABLE PASSENGER RAIL BRIDGE AND VIADUCT OVER THE NEW RIVER

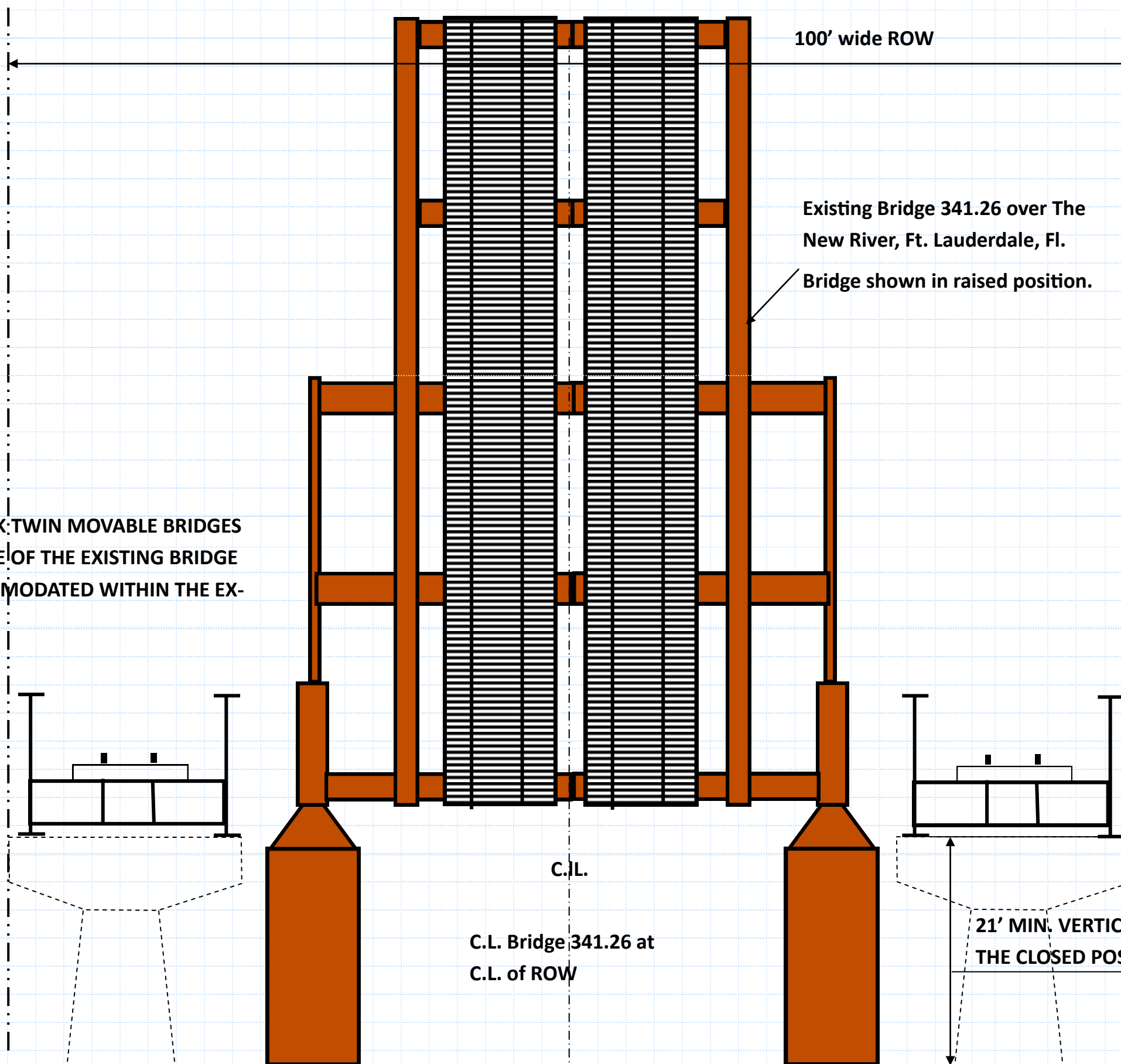


FEC BR. NO 341.26 OVER THE NEW RIVER

Ft. Lauderdale, Fl. Looking South

SINGLE TRACK TWIN MOVABLE BRIDGES
ON EACH SIDE OF THE EXISTING BRIDGE
CAN BE ACCOMODATED WITHIN THE EX-
ISTING ROW.

MHW EL 0.32



100' wide ROW

Existing Bridge 341.26 over The
New River, Ft. Lauderdale, Fl.

Bridge shown in raised position.

C.L.

C.L. Bridge 341.26 at
C.L. of ROW

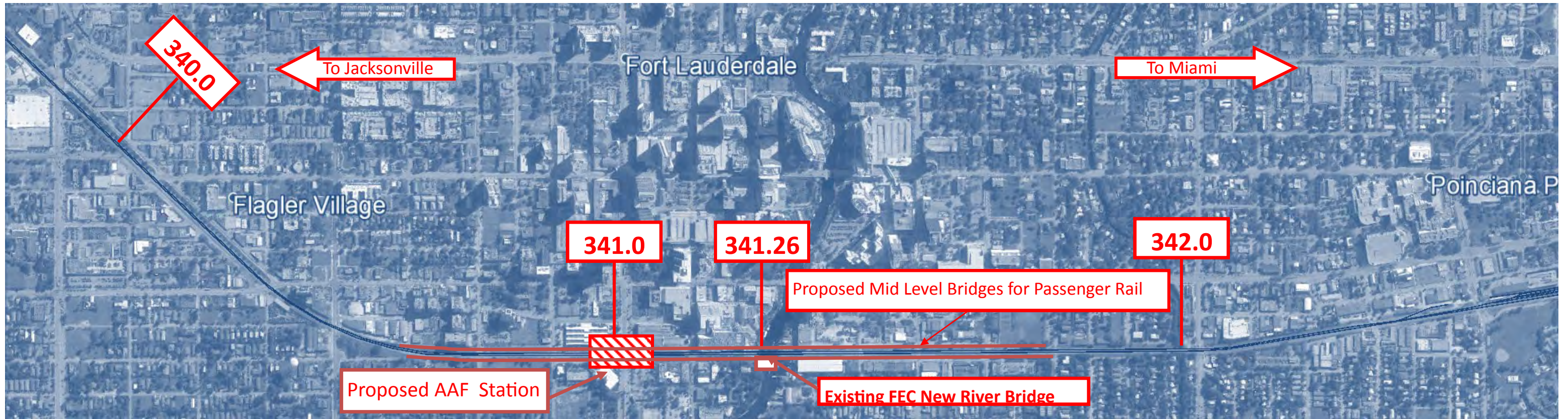
MID LEVEL TWIN MOVABLE
BRIDGE ALTERNATE TO
CARRY AAF AND TRI-RAIL
PASSENGER SERVICE. NO
ADDITIONAL ROW REQUIRED.

21' MIN. VERTICAL CLEARANCE IN
THE CLOSED POSITION.

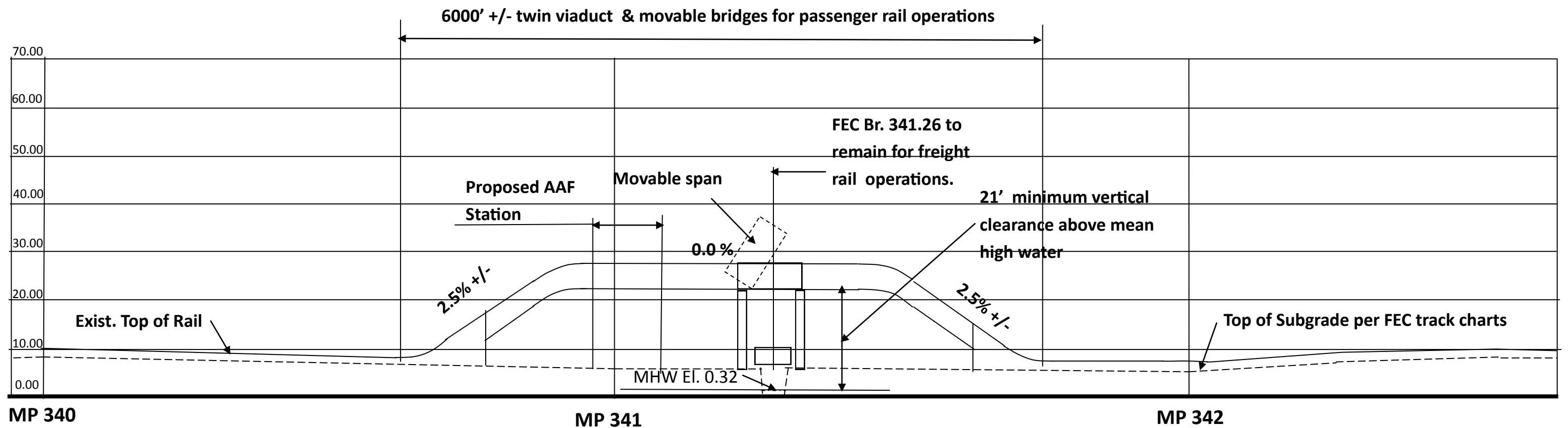


VINCENT N. CAMPISI, .P.E
CONSULTING ENGINEER, LLC
92 TINSMAN ROAD

Cross Section At Existing
FECR Bridge 341.26
Looking South



PLAN FEC Alignment from MP 340 to MP 342

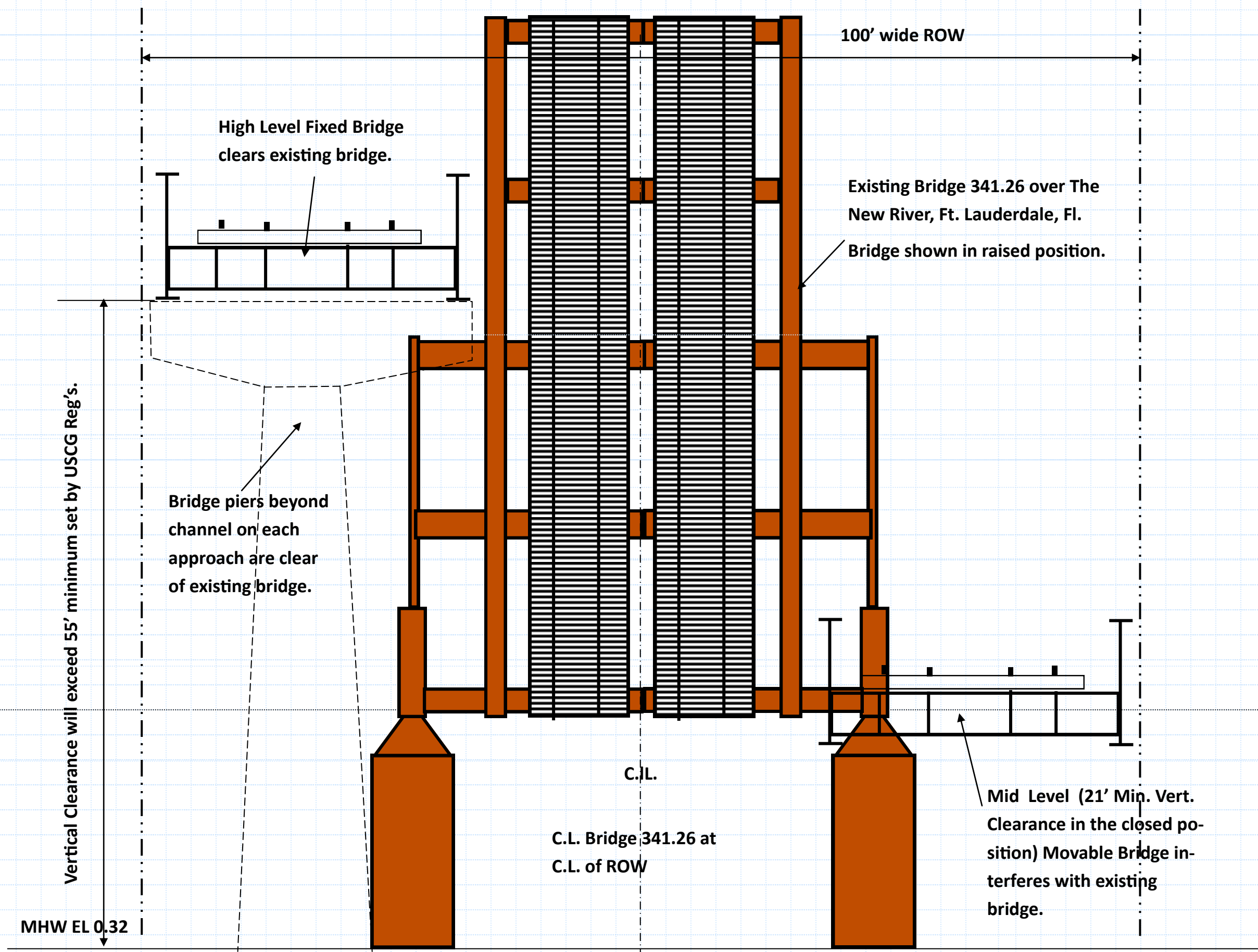


PROFILE FEC Alignment from MP 340 to MP 342

CONCEPTUAL PLAN FOR AAF & TRI-RAIL PASSENGER RAIL MID LEVEL TWIN MOVABLE BRIDGES OVER THE NEW RIVER



CONCEPTUAL RENDERING MID LEVEL TWIN MOVABLE PASSENGER RAIL BRIDGES OVER THE NEW RIVER



**HIGH LEVEL FIXED BRIDGE
ALTERNATE TO SERVE AAF
AND TRI-RAIL PASSENGER
SERVICE. NO ADDITIONAL
ROW REQUIRED.**



VINCENT N. CAMPISI, .P.E
CONSULTING ENGINEER, LLC

**Cross Section At Existing
FECR Bridge 341.26
Looking South**

The background of the document is a faded, light-colored image. It features a large palm tree on the right side, with its fronds extending towards the top. Below the palm tree, there is a body of water, possibly a river or a bay, with some structures and boats visible in the distance. The overall tone is light and airy.

NOVEMBER 2014

APPENDIX A

REVIEW AND COMMENTS

**REGARDING PROPOSED RAIL OPERATIONS
AND IMPACTS ON NAVIGATION
ON THE NEW RIVER
FT. LAUDERDALE, FLORIDA**

AS PROPOSED BY

**ALL ABOARD FLORIDA – ORLANDO TO MIAMI, FLORIDA INTERCITY
PASSENGER RAIL PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**THIS DOCUMENT IS PREPARED ON BEHALF OF
A COALITION OF:
CONCERNED FT. LAUDERDALE AREA PROPERTY OWNERS,
BOATERS, AND MARINE INDUSTRY BUSINESSES**

PREPARED BY

**VINCENT N. CAMPISI, P.E., CONSULTING ENGINEER, LLC
92 TINSMAN ROAD
FRENCHTOWN, NJ 08825-4111**



BACKGROUND:

In 2012, Florida East Coast Industries (FECI) announced its intention to start a privately-funded passenger rail service known as “All Aboard Florida.” (AAF) is intended to provide new intercity express rail service between downtown Miami and Orlando, with additional stations in downtown Fort Lauderdale and downtown West Palm Beach. FECI is the division of Fortress Investment Group, (the parent company) responsible for passenger rail development and Flagler Development, which handles the company’s real estate interests. FEC Railroad (FECR) is a separate division of Fortress Investment Group which operates and maintains the FECR rail and freight operations.

AAF has produced an environmental assessment (EA) and a finding of no significant impact (FONSI) was issued by the Federal Railroad Administration based on the EA submitted. The FRA is the lead agency for the National Environmental Policy Act (NEPA) review process for the Project. FRA issued a Finding of No Significant Impact (FONSI) for the initial phase I of the Project on January 30, 2013. Subsequently, on April 15, 2013, FRA published in the Federal Register a notice of intent to prepare an Environmental Impact Statement. Although the Draft EIS was initiated for Phase II of the Project, the document analyzes the cumulative effects of both phases of the Project since train operations will cover the full corridor between Miami and Orlando. The FRA issued the Draft EIS on September 19, 2014.

As stated in the DEIS Notice; FRA is providing an extended public comment period of 75 days from the day that the FRA issued the DEIS; thus, the comment period ends on December 3, 2014. Comments on DEIS for Phase II of the All Aboard Florida project are due by December 3rd, 2014 and should be sent to FRA either by email to the attention of Mr. John Winkle at this address: AAF_comments@vhub.com, or by mail to: Mr. John Winkle, Federal Railroad Administration, 1200 New Jersey Avenue, SE, Room W38-311, Washington, DC 20590.

This report comments on those aspects of the DEIS that describe the proposed rail operations proposed by AAF and also the freight operations carried by FECR on the N-S corridor discussed in the DEIS. The report discusses impacts on navigation resulting from the proposed rail operations over the FEC New River Bridge at MP 341.26, with some interrelated with the operations at the CSX bridge over the New River at Interstate 95.

INTRODUCTION:

The FRA – DEIS Document dated September 19, 2014 is the subject of review and comments as presented in this report. The format takes sections of the DEIS document reproduced in this document in blue font. Comments regarding the particular section are incorporated within or following each section of the DEIS being discussed. The comments are supported by references and exhibits which will be appended to this report. The engineering comments will be based on conceptual engineering investigation sufficient to prove the basis for the comment and will not include in-depth preliminary or final engineering analysis. The level of engineering investigation performed for the DEIS as described in the DEIS is conceptual in nature only without extensive engineering analysis, and is based on assumptions regarding structure types, number of tracks, and railroad construction required for the corridors included in the project. Budget estimates included in the DEIS and the TRI-Rail Environmental Analysis for proposed construction are based on S.F. costs and the cost for similar construction obtained from other similar projects.

The DEIS was prepared for the purpose of presenting the proposed AAF passenger service and to describe the various alternates considered for the combined existing and future freight service and the proposed passenger rail service which will operate on the existing FEC corridor from Jacksonville to Miami and also for the proposed extension to Orlando.

Table of Contents

NOTE: this TOC follows the section numbering in the DEIS

Background.....	2
Introduction.....	2
Summary Review and Comments	4
Section 1, Introduction, Review and Comments.....	10
Section 3, Alternatives Review and Comments.....	11
Section 4, Affected Environment, Review and Comments.....	19
Section 5, Environmental Consequences, Review and Comments.....	25

EXHIBITS:

- 1, FEC Bridge over New River looking south
- 2, Typical Section at Existing Bridge Moveable Bridge Alternative for Passenger Operations
- 3, Plan and Profile Mid-Level, Moveable Bridge Alternative for Passenger Operations
- 4, Photo Rendering Twin Mid-Level Moveable Bridges for Passenger Rail
- 5, Typical Section at Existing Bridge High Level Fixed Bridge for Passenger Rail
- 6, Plan and Profile High Level Fixed Bridge for Passenger Rail
- 7, Photo Rendering High Level Fixed Bridge for Passenger Rail
- 8, Plan and Profile High Level Bridge, Moveable Span Alternate
- 9, Photo Rendering High Level Bridge, Moveable Span Alternate

Following are the sections of the DEIS shown in **blue font** together with the review comments for each section cited. It is presented in this manner to assist the persons reviewing the comments by providing all of the information in a single document.

SECTION, SUMMARY, REVIEW AND COMMENTS

PAGE S-1 & S-2 Summary

About the Project

All Aboard Florida – Operations LLC (AAF) is proposing to construct and operate a privately owned and operated intercity passenger railroad system that will connect Orlando and Miami, with intermediate stops in Fort Lauderdale and West Palm Beach, Florida.

AAF has applied for \$1.6 billion in federal funds through the Railroad Rehabilitation and Improvement Financing (RRIF) program, which is a loan and loan guarantee program administered by FRA as described in 49 Code of Federal Regulations (CFR) part 260. Under this program, the FRA Administrator is authorized to provide direct loans and loan guarantees that may be used to acquire, improve, or rehabilitate rail equipment or facilities or develop new intermodal or railroad facilities. Because AAF has applied for a loan under FRA's RRIF program, FRA is required under the National Environmental Policy Act (NEPA) to conduct an analysis of the potential environmental impacts resulting from the Project. NEPA compliance is a prerequisite for RRIF approval, and FRA will not approve the Project for a RRIF loan until the NEPA process is complete. A RRIF loan, if approved, would be part of an overall capital structure put in place by AAF to finance the infrastructure improvements.

AAF proposes to implement the Project through a phased approach. Phase I would provide rail service on the West Palm Beach to Miami section while Phase II would extend service to Orlando. Phase I would provide passenger rail service along the 66.5 miles of the Florida East Coast Railroad (FECR) Corridor connecting West Palm Beach, Fort Lauderdale, and Miami. AAF has obtained private financing for Phase I and is proceeding to implement Phase I, which is illustrated in Figure 1.1-1.

COMMENT: AAF wants to implement the project in two phases. The first phase would be from West Palm Beach to Fort Lauderdale and Miami. This phase requires construction of stations and improvements to the existing rail corridor to accommodate the proposed passenger service. FEC has made improvements in this corridor to allow increased freight rail traffic anticipated from port improvements at Port Everglades and Port Miami in part to allow "Post Panamax" container ships to use Port Everglades and Port Miami which would increase the number of containers at these ports to be carried by FEC. The DEIS has not addressed all of the impacts from this increased freight traffic nor has it considered the additional passenger operations proposed by SEFCC (formerly Tri-Rail) on the same FEC corridor. Specific impacts will be discussed in the appropriate sections of this DEIS comment document. Whereas the existing conditions at the FECR moveable bridge are obstructive today, the impacts from increased rail operations will more severely impact navigation on the existing FEC movable bridge at MP 341.26 over the New River in Fort Lauderdale.

FRA and AAF conducted an environmental review of Phase I in 2012/2013, including preparing and issuing both an Environmental Assessment (EA) (Environmental Assessment and Section 4(f) Evaluation for the All Aboard Florida Passenger Rail Project West Palm Beach to Miami, Florida) and a Finding of No Significant Impact (FONSI) (AAF 2012; FRA 2013a). Phase I of the Project, as described in the 2012 EA, includes constructing three new stations (West Palm Beach, Fort Lauderdale and Miami), purchasing five train sets, adding a second track along most of the 66.5-mile corridor and adding 16 new round-trip intercity passenger train trips (32 one-way trips) on the West Palm Beach to Miami section of the FECR Corridor. FRA concluded that Phase I has independent utility (that is, it could be advanced and serve a transportation need even if Phase II were not constructed). FRA has made no decision under the Railroad Rehabilitation and Improvement Financing (RRIF) program as to whether a loan would be provided for Phase I.

As a result of the environmental review process conducted by FRA in cooperation with AAF for Phase I, AAF is authorized to construct the Phase I component of the Project as reviewed and approved in the 2012 EA and FRA's subsequent FONSI. Since the FONSI, AAF proposed and FRA has evaluated a new location for the proposed Fort Lauderdale Station and issued

a re-evaluation decision that found no significant difference from the location evaluated in the 2012 EA. Also since the FONSI, AAF proposed and FRA has evaluated a new location in West Palm Beach for the proposed Fort Lauderdale layover and maintenance facility. FRA has issued a supplemental EA for public review of this new site concurrent with this DEIS. Considering Phase II of the Project and RRIF loan approval as separate federal actions, FRA has undertaken a NEPA review of the proposed extension. Given that operations would cover the full corridor from Orlando to Miami, this DEIS analyzes the cumulative effects of completing both phases of the Project, although the impacts exclusively from Phase 1 have already been addressed in the 2012 EA and FONSI and will not be reanalyzed in the DEIS. AAF can proceed at this time with construction of Phase I based upon the FONSI and incorporating the mitigation measures identified therein. The bulk of the information in this DEIS related to Phase I is drawn from the 2012 EA. FRA concluded that it was important to provide a comprehensive look at the environmental impacts of both phases in one environmental document.

Phase II of the Project includes constructing a new railroad line parallel to State Road (SR) 528 between the Orlando International Airport (MCO) and Cocoa, constructing a new Vehicle Maintenance Facility (VMF) on property owned by the Greater Orlando Airport Authority (GOAA), adding a second track within 128.5 miles of the FECR Corridor between West Palm Beach and Cocoa, and additional bridge work between Miami and West Palm Beach. The proposed service would use a new intermodal facility at MCO that is being constructed by GOAA as an independent action. The Project includes purchasing five additional passenger train sets, and would add 16 new round-trip intercity passenger train trips (32 one-way trips) on the new railroad segment and on the FECR Corridor between Cocoa and West Palm Beach. No additional trips beyond those considered in the 2012 EA (16 round-trip intercity passenger train trips [32 one-way trips]) would be added on the West Palm Beach to Miami section.

COMMENT: Phase II operations must also consider the increase in freight rail and passenger rail operations on all of the waterways which are crossed by FEC in addition to the New River Bridge on the movable bridges at the St. Lucie River and Loxahatchee (Jupiter) River bridges.

About the NEPA Process

FRA is the lead federal agency responsible for conducting the NEPA environmental review process for the Project. FRA manages financial assistance programs for rail capital investments and has certain safety oversight responsibilities with respect to railroad operations.

Page S-3

NEPA and the Council on Environmental Quality's implementing regulations define the general framework for preparing an EIS. FRA also has its own, more specific, guidelines for implementing NEPA.

The NEPA process typically includes these steps:

- Notice of Intent – a notice, published in the Federal Register, notifying the public of the federal agency's intent to prepare an EIS, defining the project and informing the public how to comment on the project. The Notice of Intent for the AAF Project was published on April 15, 2013.
- Scoping – an early and open process for identifying significant issues related to a project. As part of the scoping process, agencies and the public are invited to participate and provide comment. A series of public scoping meetings for the Project were held in April and May 2013 in Orlando, Fort Pierce, West Palm Beach, Fort Lauderdale and Miami and an agency scoping meeting was held in April 2013. Agencies and the public provided input that informed the scope and content of the environmental studies conducted for the DEIS, including concerns about noise and vibration impacts, impacts to navigation, impacts to wildlife and protected species, safety and traffic operations at grade crossings. The public comments also indicated in interest in additional stations and the opportunity to include a bicycle trail within the railroad right-of-way (ROW).

Comment: During the scoping period significant issues which were to be identified should have included all of the rail operations that are being proposed which will utilize the FEC corridor. These rail operations should have included the plan

to have Tri-Rail commuter operations joint use of the FEC corridor through Fort Lauderdale which would impact navigation on the New River. FEC is in negotiations with Tri-Rail and has provided scheduling information and rail operations models to Tri-Rail as discussed and cited in the Tri-Rail Preliminary Project Development Report, Appendix 3: Rail Operations Analysis Report and Materials, Dated April 2014, Prepared by RS&H, CH2M HILL, AECOM, Ernst & Young, Kommunikatz, Inc., as directed by FDOT – District 4. It is totally improper to omit any discussion of the proposed Tri-Rail Coastal Link Study in the AAF DEIS when the project plans have been developed to the point that a Preliminary Project Development Report has been presented to the public and is actively being brought into reality with service being proposed along the existing FEC Corridor in the near future (2016) following the NEPA requirements for a EIS and securing project approval.

- Draft EIS (DEIS) – the purpose of the DEIS is to disclose all environmental effects associated with the project alternatives, whether they are adverse or beneficial and allow the public to review and comment on the document. FRA has prepared and published this DEIS in coordination with the FAA, USACE and USCG and informed the public through a notice in the Federal Register, newspaper ads and press releases. Public information meetings on the DEIS will be held during the 75-day public comment period.

Comment: As stated above the purpose of the Draft EIS is to disclose all environmental effects associated with the project alternatives. Omission of any discussion of impacts resulting from the combined corridor use of the existing FEC operations, Tri-Rail and increased freight operations attributable to Post Panamax Container Ships using Port Everglades and Port Miami is a blatant omission of potential major impacts which will affect navigation on all of the movable bridges on the FEC corridor and the most heavily impacted movable Bridge will be the FEC bridge at MP 341.26 over the New River.

Page S-5

Alternatives Considered in this EIS

In order to identify and consider alternatives that will satisfy this purpose, including the Project's feasibility as a private enterprise, AAF identified its primary objective which is to provide an intercity rail service that is sustainable as a private commercial enterprise. The two principal components of this objective are the basis for developing the criteria and framework for evaluating the Project alternatives. AAF's two primary goals are to:

- Provide a reliable and convenient intercity rail service between Orlando and Miami with an approximate 3-hour trip time between the terminal stations; and
- Provide an intercity rail service that is sustainable as a private commercial enterprise. Sustainable means that the rail service can attract sufficient riders to meet revenue projections and operate at an acceptable profit level.

The DEIS evaluates the No-Action Alternative as a baseline to compare the effects of the "build" (Action) Alternatives. The No-Action Alternative involves no changes to the rail line within the FECR Corridor beyond regular maintenance and improvements that have been currently planned and funded. Under the No-Action Alternative, existing freight operations and infrastructure would be maintained by FECR. The demand for freight capacity is expected to grow along the North South Corridor (N-S Corridor) regardless of the Project. Based on anticipated operations data for the 2016 target date for the Project, the average number of freight trains per day is expected to increase from 10 to 14 (in 2013) to 20, along with an increase in the average train length to 8,150 feet. The No-Action Alternative would also include future planned and funded roadway, transit, air and other intermodal improvements likely to be completed within the Project study area by the 2016 target date.

Comment: All future planned uses of the FEC corridor should be included in the DEIS and the method for dealing with the increased traffic should be included in the project improvements regardless of whether or not the planned use of the corridor by Tri-Rail or increased freight traffic occurs by AAF's target date of 2016. Shared use of facilities such as stations and trackage requires that these issues be included in the DEIS and the planning of improvements required for all of the proposed use.

Table S-1 DEIS Alternatives				
Segment/Project Element	No-Action	Alternative A	Alternative C	Alternative E
MCO	No construction	2.5-mile new rail corridor	2.5-mile new rail corridor	2.5-mile new rail corridor
E-W Corridor	No construction	1.5-mile new rail corridor west of Narcoosee Road 17.5-mile new rail corridor within current SR 528 OOCEA ROW 15-mile new rail	1.5-mile new rail corridor west of Narcoosee Road 17.5-mile new rail corridor along boundary of current SR 528 OOCEA ROW	1.5-mile new rail corridor west of Narcoosee Road 17.5-mile new rail corridor 100 feet south of current SR 528 OOCEA ROW
N-S Corridor	No construction – Freight trips increase to 20 trips/day in 2016	128.5 mile corridor Add second track, straighten curves,	128.5 mile corridor Add second track, straighten curves,	128.5 mile corridor Add second track, straighten curves,
WPB-M Corridor	No construction – Freight increases to 20 trips/day in 2016	66.5-mile corridor Add second track	66.5-mile corridor Add second track	66.5-mile corridor Add second track
VMF	No construction	New VMF on south portion of GOAA property Construct 1	New VMF on south portion of GOAA property Construct 1	New VMF on south portion of GOAA property Construct 1
Stations	MCO Intermodal Station	West Palm Beach Fort Lauderdale Miami	West Palm Beach Fort Lauderdale Miami	West Palm Beach Fort Lauderdale Miami
Passenger Trips	None	16 RT (32 trains)	16 RT (32 trains)	16 RT (32 trains)
Ridership	0	3.5M	3.5M	3.5M

Alternative E differs from Alternatives A and C within the OOCEA ROW section of the E-W Corridor. Alternative E would include a new rail corridor extending north through MCO to SR 528 (the MCO Segment), including the proposed VMF; a new rail alignment 200 feet south of the SR 528 OOCEA ROW (the E-W Corridor) from MCO SR 520 and then within the SR 528 FDOT ROW to the FECR Corridor in Cocoa; and would use the existing FECR ROW from Cocoa to West Palm Beach (the N-S Corridor). Within the N-S Corridor, the Project largely consists of restoring a second track, modifying several curves to accommodate higher speeds and replacing or repairing bridges across waterways. Alternative E also includes

modifications to seven bridges within the WPB-M Corridor, a new location for the proposed Fort Lauderdale Station and minor track modifications at the Miami Viaduct.

Comment: The estimated increase in freight operations to 20 trips per day in 2016 is in conflict with stated projected freight operations presented to the Florida legislators and at several other rail conferences by FEC rail, and is a marked increase from the forecast discussion in the Environmental Assessment. The alternatives do not include any comment or consideration of the addition of a two track mid-level movable bridge adjacent to the existing FEC bridge 341.26 over the New River to carry Tri- Rail commuter passenger rail. The proposal by Tri-rail calls for shared stations at Ft. Lauderdale and other locations in the WPB to Miami corridor. If there are to be shared stations FEC and AAF must take them in to consideration in this DEIS. According to the DEIS, AAF plans to be at grade with their proposed passenger operations at the proposed Ft. Lauderdale Station and on the existing New River Bridge. With the Tri-Rail Passenger operations operating over a mid-level movable bridge over the New River this is a direct conflict. The DEIS should include an alternate to have all passenger operations carried on the proposed mid-level bridge in order to make it possible to have a joint shared station as proposed by Tri-Rail and to separate freight and passenger operations which would minimize the number of bridge openings required if the 32 passenger trains per day proposed by AAF were also carried on the higher Mid-Level bridge.

The following presentation was given by James Hertwig, FEC on 08/07/2013 at the 16th Annual Transportation & Infrastructure Summit conference:

FEC Overview

- 351 miles of mainline track
 - Only railroad along Florida's east coast
 - Unparalleled link between Florida rail traffic and nation's rail network
- Most direct and efficient North/South mode for transporting multiple types of freight
 - Competitive advantage over motor carriers due to highly congested roadways and challenging trucking environment
- Attractive freight mix
 - Intermodal containers and trailers
 - Carload
- Crushed rock (aggregate)
- Automobiles, food products and other industrial products
- Connect to national freight network via CSX and Norfolk Southern in Jacksonville

Key Florida Attributes

- Large Consumer Market
 - 4th largest state economy in the U.S. (by GDP) (1)
 - Over 19 million residents, 3rd largest state population behind California and Texas (2)
 - More than 85 million out-of-state visitors annually (3)
- Strategic Location
 - Primary gateway to Latin America; accounts for more than one-third of all U.S. trade with Latin America
 - 3 of the nation's 15 largest container seaports
 - Closest U.S. ports of call from Panama Canal (Port Miami and Everglades)
- Large Consumer Market
 - 4th largest state economy in the U.S. (by GDP) (1)
 - Over 19 million residents, 3rd largest state population behind California and Texas (2)
 - More than 85 million out-of-state visitors annually (3)

- Strategic Location
 - Primary gateway to Latin America; accounts for more than one-third of all U.S. trade with Latin America
 - 3 of the nation's 15 largest container seaports
 - Closest U.S. ports of call from Panama Canal (Port Miami and Everglades)

The Asian Market Opportunity

- Panama Canal expansion will allow larger vessel passage
 - Currently can accommodate 4,800 TEU vessels
 - Post expansion, Canal will accommodate 13,000 + TEU vessels which will allow for faster all-water times to the East Coast for the more cost efficient "large vessels" (larger vessels are 30% more cost efficient)
- Currently only 2 ports on the eastern seaboard with 50' water depth
- Over the last 3 years, the Port Miami received funding for over \$1.0 billion in infrastructure improvements, which combined with the Panama Canal expansion, will make it a gateway for import/export activity
 - On-dock rail restoration, with direct rail access to intermodal yard (FEC), and straight-track access to North Florida and beyond utilizing FEC Railway infrastructure (Completion: 2nd half 2013)
 - The Tunnel project will allow for better, and incremental access of freight flows in/out of the Port (Completion: May 2014)
 - 50' dredge expected to be completed in 2015 in concert with the Panama Canal expansion project

Strategic Initiative: On-dock rail service at Port Miami

- Implementing on-dock rail service at Port Miami allows FEC to directly serve Port customers
 - Only railroad with direct access to the Port
 - Trains will be run directly from the Port to the FEC mainline
- Total project cost \$45-50 million
 - Federal TIGER II grant (\$23M)
 - Florida DOT (up to \$9M)
 - Miami Dade County (up to \$5M)
 - FEC (up to \$9M)
- Q2 2013 Update
 - Rail line lead to Port has been completed
 - Bascule Bridge rehabilitation phase has begun
 - Joint marketing program with the Port has begun
- Estimated startup date: 2nd half 2013

Strategic Initiative: ICTF and near dock rail service at Port Everglades

- ICTF Groundbreaking Event took place on January 17th to announce the start of construction on a 42 acre Intermodal Container Transfer Facility
- Total Cost: \$73M
 - FEC-State Loan and Cash ~ \$35M
 - Broward County ~ \$20M
 - State Grants ~ \$18M
- Q2 2013 Update
 - Lease agreement with Broward County executed
 - ICTF design-build request has been awarded to The Milord Company
 - Received State Loan funding in Q3
- Estimated completion during the 1st half of 2014|

Comment: Future rail operations will consist of the exiting freight rail and the proposed passenger rail operations; also the probability of increased freight traffic due to the planned improvements at Port Everglades and Port Miami need to be considered. These have been extensively described by FECR (including in their presentation to the 16th annual Transportation and Infrastructure Summit) and by the Florida Department of Transportation, the Florida Seaports Council, and the Metropolitan Planning Organizations of the three South Florida Counties, among others. The increased tonnage expected at these ports is order of magnitude three times greater than presently handled at these ports according to the FECR presentation. There is therefore a possibility for rail freight operations to triple to meet this additional demand required to move the container (intermodal) traffic northward from Port Miami and Port Everglades to Jacksonville and connections to other freight carriers. The train movements to be accounted for in the future would consist of 33 (11X3) freight trains per day and the 32 planned passenger trains proposed by AAF. In addition to the FEC and AAF planned train movements Tri-Rail Coastal Link is proposing up to 60 trains per day on the FEC Corridor originating from the Tri-Rail Red Line Corridor crossing on the Pompano Connector to the FEC Corridor. These estimates contradict the estimated 20 freight trips per day listed in the DEIS. This dramatic increase in freight, passenger and commuter Rail operations requires consideration of separation of freight and passenger operations to improve the service on the existing corridor and lessen the impact on navigation at the New River and the other movable bridges at St. Lucie and Loxahatchee Rivers.

SECTION 1, INTRODUCTION, REVIEW AND COMMENTS

Page1-1 Introduction

This Draft Environmental Impact Statement (DEIS) evaluates a proposal by All Aboard Florida - Operations LLC (AAF) to institute intercity passenger rail service between Orlando and Miami, Florida with station stops in Orlando, West Palm Beach, Fort Lauderdale, and Miami (Project). The Project would consist of a 235-mile intercity passenger rail service with an anticipated three-hour travel time.

The Federal Railroad Administration (FRA) published a Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Project in the Federal Register on April 15, 2013. FRA is the lead federal agency responsible for conducting the environmental review and preparing the National Environmental Policy Act (NEPA) environmental documentation related to the Project described in this DEIS

Page 1-7

1.5 Development of this Environmental Impact Statement

As it has in the past, FRA has used a third party contracting process in preparing this DEIS. FRA does not have appropriated funds to support the development of EISs for RRIF loan applications. As a result, FRA requires the applicant to engage the services of a qualified consultant approved by FRA to assist FRA in preparing the EIS. Consistent with a memorandum of agreement among the parties, the third party contractor is paid for by AAF but reports to and takes direction from FRA. In developing the proposed action, AAF engaged the services of consultant firms to prepare engineering designs for the Project and to prepare technical reports documenting existing environmental conditions and analyses of environmental consequences. FRA's third party contractor reviewed all materials provided by AAF; assisted FRA in determining that this information was complete, accurate, and relevant; and assisted FRA in the preparation of this DEIS.

Comment: It is apparent that AAF did not disclose all issues to the third party contractor which should be a part of the discussion and be included in the impacts and issues discussed in the DEIS document. It may also be possible that the Third party contractor ignored the issues if in fact they were provided which in either case is a mistake in not including them in the DEIS.

This document does not question the Purpose and need for the proposed action. Therefore we do not have comments regarding Section 2 of the DEIS.

SECTION 3, ALTERNATIVES, REVIEW AND COMMENTS

Page 3-1 Alternatives

3 Alternatives

The Council on Environmental Quality (CEQ) regulations that implement the National Environmental Policy Act of 1969 (NEPA) state that the alternatives section is the heart of an Environmental Impact Statement (EIS) (40 CFR § 1502.14). Those regulations and accompanying guidance, Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations (CEQ 1981), require a federal decision-maker, in this case the Federal Railroad Administration (FRA), to:

- Develop and describe the range of alternatives capable of achieving the purpose and need (1505.1(e)), including alternatives not within the jurisdiction of the lead agency and the No-Action Alternative (1502.14(d)); and
- Rigorously explore and objectively evaluate these alternatives, and provide reasons why the lead agency eliminated certain alternatives from further study (1502.14(a)).

This chapter describes the process through which the Proposed Action (Build) Alternatives and the No-Action Alternative for Phase II of the Orlando-Miami Passenger Rail Project were identified and evaluated, and provides a detailed description of the alternatives evaluated in this Draft Environmental Impact Statement (DEIS). The environmental impacts of each of the alternatives that were carried forward from this screening process are evaluated in Chapter 5, Environmental Consequences, of this DEIS.

Comment: The DEIS is not in compliance with this directive to include all of the alternatives to achieve the purpose and need of the project when significant issues (proposed freight increase and Tri-Rail passenger operations) concerning rail operations and impacts on navigation have not been addressed in the DEIS. In other words, all prior alternatives (such as a tunnel, and mid-level or high level bridges should have been analyzed in the DEIS instead of dismissed.

Page 3-2

3.2 Alternatives Identification and Screening

This section describes the alternatives that were identified and developed for the Project and the criteria used to evaluate each alternative. The analysis also included a preliminary comparison of potential impacts to key environmental resources. Alternatives were identified and screened in an iterative, three level process:

- Level 1 identified and screened overall routes connecting Orlando with the previously reviewed West Palm Beach to Miami service, and identified a preferred route alternative.
- Level 2 was more fine-grained and evaluated segment alternatives within the preferred route.
- Level 3 evaluated alternatives within one segment (the Orlando-Orange County Expressway Authority (OOCEA)-controlled segment of the East-West Corridor) of the preferred route.

Figure 3.2-1 shows the screening process graphically. In order to identify and consider alternatives that will satisfy the Project's purpose, including its feasibility as a private enterprise, AAF developed evaluation criteria, including six critical determining factors (Critical Determining Factors) that must be met in order for AAF to be able to proceed with the Project. These screening criteria recognize that AAF is a private enterprise that cannot rely on government operating subsidies and that does not have the authority to acquire property by eminent domain (condemnation). To be feasible as a private enterprise, AAF must be able to:

- Provide reliable and convenient intercity passenger rail transportation connecting Orlando and Miami, Florida, by extending previously reviewed passenger rail service between West Palm Beach and Miami;

- Gain access to the lands on which alternatives are proposed through viable acquisitions, leases, licenses, permits, or other arrangements that do not preclude the feasibility of the Project as a private enterprise;
- Deliver a travel time that will meet the ridership targets necessary for a sustainable commercial initiative;
- Commence construction in the near term in order to control costs;
- Remain in close proximity to existing or planned transportation corridors in order to limit land acquisitions and related impacts; and
- Limit cost of development, including cost of land acquisitions, access, construction, and environmental mitigation.

AAF identified the alternatives at each level, and developed and applied screening criteria to determine whether each alternative was reasonable and capable of being implemented in accordance with these overall objectives. FRA has independently evaluated AAF's analysis, validated assumptions, and has prepared the following summary of the alternatives evaluation process.

Comment: In order to satisfy the above criteria the full impact of all rail operations must be evaluated in the alternatives. The omission of any future rail operations will impact the ability of the alternative selection to satisfy the project purpose, it will also affect projected travel times and prohibits the ability to perform a complete evaluation as to the necessity of providing additional ROW and infrastructure to support the project. The projected costs to implement the project will not be accurate without the consideration of those costs for future freight and passenger operations by AAF and Tri-Rail. Impacts on the environment and on Navigation in particular will not be accurately identified without inclusion of all of the possible future rail operations on the FEC corridor.

Page 3-10

3.2.1.3 Route Alternatives Screening

The four Level 1 Route Alternatives were evaluated using screening criteria specific to the overall Project objectives and the level of design available for these routes. This section describes the screening criteria and how the criteria were applied to identify a preferred route. Table 3.2-1 presents the results of the Level 1 screening analysis. Shaded cells indicate that the alternative does not satisfy the screening criterion. As shown in Table 3.2-1, the CSX, Florida's Turnpike, and I-95 Route Alternatives do not meet the overall screening criteria.

The CSX Route Alternative does not meet the Project purpose. Trip times would exceed the 3-hour target. Because of the substantial number of private land acquisitions, the Project could not be constructed in a reasonable time frame and would not be practicable if AAF was unable to purchase these properties. Because it requires an operating agreement with CSX, there is a potential that an acceptable operating agreement would not be developed and this route would not be practicable. In addition, the CSX Route Alternative would have the second-highest level of wetland loss based on wetland acreage, and would not be the least environmentally damaging alternative as defined by the U.S. Army Corps of Engineers (USACE) with respect to Section 404 permitting.

Table 3.2-1 Screening Analysis Results – Level 1 Route Alternatives

		Alternative			
Criterion	Metric	CSX	Florida Turnpike	I-95	FECR
Land Access	Requires new rail connector across West	Yes	Yes	Yes	No
	Requires RR operating agreement for shared	Yes	No	No	Yes (in place)
	Requires land from private landowners	Substantial	Substantial (211 parcels)	Substantial (743 parcels)	2 private parcels
	Requires lease from public transportation	Yes	Yes	Yes	Yes (in place)
Logistics					
Use of Existing Infrastructure	Does the alternative use existing infrastructure?	Partially	No	No	Partially
Train Signaling and Control Systems	Does the alternative have a rail signal and control system in place?	Partially	No	No	Partially
Route Length and Time	Does the alternative meet the target travel time	264 miles	226 miles	229 miles	235 miles Time = target
Environmental					
Wetlands and Waterways ¹	Amount of resource directly or indirectly	268 acres	243 acres	272 acres	134 acres
Conservation Lands ²	Amount of resource potentially affected	13 miles	0 miles	12 miles	5 miles
Threatened and Endangered	Number of habitats directly or indirectly	14	10	3	11

1 Within a the construction footprint (100-foot wide for new track)

2 Miles crossed or adjacent to the alternative

3 Within a 300-foot corridor centered on the track

Comment: Omitted from the screening analysis for the Level 1 Route Alternatives is the impact on Navigation for the FECR alternative Routes. This impact should be considered when evaluating all of the possible routes. Additionally, diversion of freight traffic from the FEC line to the CSX line or other future planned rail corridors should be considered to make way for increased passenger traffic. Referred to as “freight rationalization,” and advanced by the Treasure Coast Regional Planning Council (represented on the Coastal Link Steering Committee) this means should be considered in the context of the cumulative impact of future rail traffic on South Florida rail corridors.

Page 3-12

At-Grade Crossings and Railroad Bridges

The alternatives analysis considers the number of existing at-grade crossings that would have to be modified and the number of new at-grade crossings that would need to be constructed where a grade-separated crossing was not feasible

or necessary. The total number of at-grade crossings would potentially impact train speeds as trains must reduce speeds in some areas with at-grade crossings. New at-grade crossings would add to the Project cost and would impact traffic on local roads. Improvements or widening of existing at-grade crossings would also impact Project cost. The number of at-grade crossings for each alternative was estimated using GIS mapping.

The alternatives analysis also considers the number of new bridges over waterways or highways that would be required for each alternative. Bridge construction would impact Project cost and schedule, as bridges require longer construction time than at-grade railroad infrastructure. The number of new or modified bridges associated with each alternative was estimated using GIS mapping. For the FECR Corridor, the analysis includes those existing bridges that would require modification or replacement.

Comment: The Mid-Level Movable bridge to be constructed over the New River on the FEC ROW as proposed by Tri-Rail should be included in the discussion on railroad bridges in the screening analysis of the alternatives.

Page 3-15

Table 3.2-2 Screening Analysis Results – Level 2 FECR Route Segment Alternatives					
Criterion	Metric	2A	2B	2B GOAA	2C
Time of Execution	Can the alternative be constructed in the near-term?	No	Yes	No	No
Logistics					
Land Access	Number of landowners	279	5	100	63
At-Grade Crossings	Number of new or extended crossings	8	0	8 (existing)	16
Bridges	Number of new or reconstructed bridges over waterways/over roads	27/10	27/10	27/8	26/37
Route Length and Time	Does the alternative meet the target travel time (3 hrs. 15 min. or less)?	248 miles Time> target	235 miles Time= target	233 miles Time>target	238 miles Time>target
Environmental					
Wetlands and Waterways 1	Amount of resource directly or indirectly impacted	534 acres	134 acres	285 acres	674 acres
Conservation Lands 2	Amount of resource potentially impacted	7 miles	5 miles	9 miles	5 miles
Threatened and Endangered Species 1	Number of habitats directly or indirectly impacted	33	11	7	8

Source; AMEC 2014d, Addendum to Technical Memorandum 3, Screening Analysis for Alternatives Identification.

- 1 Within a 300-foot corridor centered on the track
- 2 Miles crossed or adjacent to the alternative

Comment: The Mid-Level Movable bridge to be constructed over the New River on the FEC ROW as proposed by Tri-Rail should be included in the discussion on railroad bridges in the screening analysis of the alternatives.

Page 3-26

3.3.2 No-Action Alternative

The No-Action Alternative involves no changes to the rail line within the FECR Corridor beyond regular maintenance and improvements that have been currently planned and funded. Under the No-Action Alternative, existing freight operations and infrastructure would be maintained by FECR. The No-Action Alternative would also include future planned and funded roadway, transit, air, and other intermodal improvements likely to be completed within the Project study area by the 2016 target date. Table 3.3-1 shows the future freight operations within the FECR Corridor that would occur in the absence of the Project.

Table 3.3-1 Existing and Future Freight Train Operations (No-Action Alternative)

Day	2013 (Existing)		2016	
	Number of trains per day (7:00 AM-10:00 PM)	Number of trains per night (10:00 PM-7:00 AM)	Number of trains per day (7:00 AM-10:00 PM)	Number of trains per night (10:00 PM-7:00 AM)
Monday	10	5	16	8
Tuesday	11	6	16	9
Wednesday	11	6	17	9
Thursday	10	7	15	9
Friday	11	5	12	6
Saturday	6	3	8	2
Sunday	4	6	11	6
Total	63	38	95	49
Average Trains per	14		20	

Source: AAF. 2013a. Modeling Assumptions. May 2013. Report.

Comment: The existing and future freight train operations are incorrect; they do not include the increase in freight traffic planned for by FEC due to the Post Panamax expansion and the dredging and rail infrastructure improvements at Port Miami and Port Everglades to accommodate the larger Post Panama expansion container ships.

Page 3-37

Bridge and Structures

Bridge construction over waterways would be required at the 18 locations listed in Table 3.3-5, either to rehabilitate the existing bridges (two locations), replace the original bridge with two new single-track

Bridge	Existing	Number of New Single-Track Bridges	Length (ft)	Width (ft)	Number of Spans
Horse Creek	Retain	1	72	16	3
Eau Gallie River	Demolish	2	580	16	(15)1
Crane Creek	Demolish	2	660	16	(17)
Turkey Creek	Demolish	2	180	16	3
Goat Creek	Demolish	2	120	16	5
St. Sebastian River	Demolish	2	1625	16	(43)
North Canal	Retain	1	100	16	4
Main Canal	Retain	1	118	16	4
South Canal	Retain	1	125	16	5
Taylor Creek	Rehabilitate	-	210	16	8
Moore's Creek	Retain	1	72	16	3

Rio Waterway	Demolish	2	95	16	4
St. Lucie River	Rehabilitate	-	1270	24	49
Salerno Waterway	Retain	1	40	16	2
Salerno Waterway 2	Demolish	2	103	16	4
Manatee Tributary 1	Demolish	2	34	16	1
Manatee Tributary 2	Demolish	2	34	16	1
Loxahatchee River	Rehabilitate	-	585	28	9
Earman River	Retain	1	175	16	7

1 Number of spans has not been determined for the new structure. (X) is number of existing spans.

Comment: The existing and future freight train operations are incorrect; they do not include the increase in freight traffic planned for by FEC due to the Post Panama expansion and the dredging and rail infrastructure improvements at Port Miami and Port Everglades to accommodate the larger Post Panama expansion container ships.

Page 3-39

3.3.3.4 West Palm Beach – Miami Corridor

The Project within the WPB-M Segment remains the same as the project evaluated in the 2012 EA and 2013 FONSI. Phase I of the Project includes reconstructing the former second track within the FECR ROW from West Palm Beach to Miami and constructing new passenger rail stations in West Palm Beach, Fort Lauderdale, and Miami. New elements of the Phase II Project that were not previously evaluated in the WPB-M Segment include replacing or reconstructing seven bridges over waterways.

Bridges

As shown in Table 3.3-6, AAF proposes to improve seven bridges within the WPB-M Segment to accommodate the proposed second track. As long-range operational flexibility for full operations from Orlando to Miami has been further studied and understood, AAF has determined that double-tracking these bridges would be warranted for Phase II operations. As shown in Table 3.3-6, four bridges would be rehabilitated, and seven would require construction to replace the original bridge with two new single track bridges (the two Middle River crossings and the Oleta River), or retain the existing bridge and construct a new single-track bridge adjacent to the existing structure (four locations) (Figure 3.3-4). All new structures would be concrete, supported by concrete pilings, and would retain the existing vertical and horizontal clearances. The moveable bridge at the New River in Fort Lauderdale would be rehabilitated as part of Phase 1.

Table 3.3-6 Proposed Bridges over Waterways, West Palm Beach-Miami Corridor					
Bridge	Existing	Number of New Single-Track Bridges	Length (ft)	Width (ft)	Number of Spans
West Palm Beach Canal	Retain	1	200	16	9
Boynton Canal	Retain	1	154	16	6
Hidden Valley Canal	Rehabilitate	-	171	13	6
Hillsboro Canal	Retain	1	206	16	8
Cypress Creek Canal	Retain	-			
North Fork Middle River	Demolish	2	192	16	(8)1
South Fork Middle River	Demolish	2	192	16	(8)1
New River	Rehabilitate	-	210	30	6

Tarpon River	Retain	-			
Dania Canal	Rehabilitate	-	79	30	1
Oleta River	Demolish	2	82	16	(26)1
Snake Creek Canal	Rehabilitate	-	160	27	7
Arch Creek	Retain	1	75	16	1
Biscayne Park Canal	Retain	-			
Little River Canal	Retain	-			

1 Number of spans has not been determined for the new structure. (X) is number of existing spans.

Comment: The DEIS does not discuss the movable bridge over the New River being planned by Tri-Rail and included in their Environmental Assessment. AAF in their DEIS proposes a rehabilitation of the New River Bridge. FEC has been in discussion with Tri-Rail and has provided data to Tri-Rail. If this bridge being proposed by Tri-Rail is included in their plan, FEC needs to discuss how this will affect their planned operations for freight as well as their planned AAF passenger operations. AAF should include in their alternates the shared use of this proposed bridge and consider its construction in the initial stage of the AAF project rather than after Tri-Rail commences their project. Such coordination should be motivated by the most efficient and prudent expenditure of the public's investment through proper forethought, planning and coordinated design.

Fort Lauderdale Station

Subsequent to the publication of the 2012 EA and 2013 FONSI, AAF shifted the proposed Fort Lauderdale Station building to the opposite (west) side of the tracks, along NW 2nd Avenue between NW 4th Street and Broward Boulevard. On March 27, 2014 FRA issued a Re-Evaluation that determined the new location would not change the environmental impacts identified in the 2012 EA and previously found to be not significant (Appendix 3.3-A).

Comment: AAF plans for the Fort Lauderdale Station are for an at-Grade Station. Tri-Rail in their Environmental Assessment discusses a mid-level movable bridge which would be at a minimum clearance of 21 feet over MHW. This would require that the Ft. Lauderdale Station be an elevated station. Since a shared station is proposed by Tri-Rail with AAF this needs to be included and considered in the AAF DEIS so the final design and construction does waste taxpayer investment in this joint public-private project.

Page 3-34

3.4 Operations

The Project's planned service between Orlando and Miami would consist of 16 revenue round-trips leaving hourly in each direction from 5:00 AM to 9:00 PM, with planned stops at the two intermediate stations in West Palm Beach and Fort Lauderdale. The last Orlando-bound revenue train would arrive in Orlando at 12:10 AM and the last Miami-bound revenue train would arrive in Miami at 11:10 PM. Total scheduled travel time, including stops, is anticipated to be 3 hours, 10 minutes between the terminal stations. Station to station travel time would be 1 hour, 50 minutes from Orlando to West Palm Beach, and 1 hour, 20 minutes from West Palm Beach to Miami. The planned operating speed has three components: a maximum speed of 125 mph from Orlando to Cocoa; a maximum speed of 110 mph from Cocoa to West Palm Beach; and a maximum speed of 79 mph from West Palm Beach to Miami. Table 3.3-9 depicts the projected average operating speeds for passenger and freight rail service by county and the net change in freight rail average operating speed over today's performance. The E-W Corridor from MCO to Cocoa would be a dedicated-use corridor with only passenger service and no grade crossings, while the N-S Corridor would be a shared-use corridor with freight and passenger service and grade crossings.

Table 3.3-9 Projected Average Passenger Rail Operating Speeds by County				
County	2013 Freight/ 2016 No-Action Alternative (mph)	2016 Freight (with Project) (mph)	2016 Passenger (mph)	Change in Average Freight Speed with Project (mph)
Orange	N/A1	N/A	68.472	N/A1
Brevard	31.95	40.97	93.77	9.02
Indian River	38.57	43.45	103.34	4.88
St. Lucie	33.48	35.55	93.38	2.07
Martin	31.76	37.06	76.96	5.30
Palm Beach	34.89	40.42	75.37	5.53
Broward	31.57	38.11	61.72	6.54
Miami-Dade	39.63	39.91	55.67	-0.72

Source: AAF. 2013a. Modeling Assumptions. May 2013. Report.

1 Only the E-W Corridor enters Orange County, which does not carry freight traffic

Comment:

The operations described in the DEIS do not accurately reflect the total projected increase in freight traffic throughout Florida due in part to increased activity at Port Everglades and Port Miami following the Panama Canal Expansion. FEC has on numerous occasions discussed the increased traffic on FEC with Florida Legislators, senior Florida agency staff, and Industry leaders. FEC has made substantial improvements to their rail facilities at the Ports due to this proposed Panama Canal generated shipping, and the State of Florida has made substantial investments in seaports, Strategic Intermodal System planning, and the Florida Freight Mobility and Trade Plan- Investment Element, July 2014 (see http://www.freightmovesflorida.com/docs/default-source/fmtpdocs/draft-fmtp-investment-element_2014-08-18.pdf). It is a major omission to exclude this projected increase from the DEIS. Shared use of the corridor by Tri-Rail also needs to be considered and evaluated with regard to train speeds.

SECTION 4, AFFECTED ENVIRONMENT, REVIEW AND COMMENTS

Page 4-4

4.1.2.1 Rail Transportation

There are three primary north-south rail corridors in the Project Study Area. One corridor runs along the east coast of Florida between Jacksonville and Miami and is owned by FECR. According to the FECR operations data from 2012, this route consists of four flat switching yards, 72 industry turnouts, and 21 over-grade and under-grade bridges. CSX owns tracks through the center of the state between Winter Haven and Palm Beach that connect to a third set of tracks owned by the State of Florida between Palm Beach and Miami (South Florida Rail Corridor). There is no existing rail infrastructure in the E-W Corridor.

Existing Passenger Train Service

The National Railroad Passenger Corporation (Amtrak) provides passenger rail service between Orlando and Miami on their Silver Star and Silver Meteor services. These services originate in New York City and operate between Orlando and Miami via CSX tracks to West Palm Beach and the South Florida Rail Corridor tracks between West Palm Beach and Miami. These services stop at ten stations including Orlando, Kissimmee, Winter Haven, West Palm Beach, and Miami. One train operates per service each day in each direction with travel times ranging from 5 hours, 45 minutes to 7 hours, 34 minutes. The average round trip cost for the service is \$100.00 for one adult passenger. In 2012, ridership for the entire Silver Star service was 425,794 passengers, while ridership for the entire Silver Meteor service was 375,164 passengers. Combined ridership was 800,958 annual passengers (Brookings 2013).

The South Florida Regional Transit Authority (SFRTA) serves the Project Study Area with commuter rail service between Mangonia Park in West Palm Beach and Miami (approximately 70 miles), called "Tri-Rail." Only the northernmost station, Mangonia Park, is within the Orlando to West Palm Beach study area. Tri-Rail operates on the South Florida Rail Corridor and serves 17 stations with 25 southbound (SB) and 25 northbound (NB) trains per weekday, and 15 SB/15 NB trains per weekend day. The travel time between West Palm Beach and Miami is 1 hour, 40 minutes. Tri-Rail has a zone based fare system which ranges from \$2.50 to \$6.90 per trip. Fare discounts are available. Average monthly ridership for 2012 ranged from less than 12,000 to over 14,000 riders, which is an increase over the previous year (SFRTA 2013b). Figure 4.1.2-2 shows the Tri-Rail service.

Existing Freight Rail Service

Regular freight traffic currently operates within the FECR Corridor from Jacksonville to Miami. The freight track within the FECR Corridor was evaluated from Mile Post (MP) 170 in Cocoa (Brevard County) to MP 299 in West Palm Beach (Palm Beach County). The existing freight traffic consists of an average of 15 trains per day with a low of nine daily trains on Saturday and a high of 17 daily trains Tuesday through Thursday. This includes both NB and SB trains. The average train length is 8,150 feet, which includes two locomotives and 101 cars. Regular freight traffic also operates within the CSX/South Florida Rail corridors from Orlando to Miami. Figure 4.1.2-3 shows the CSX tracks in the Project Study Area.

Comment: The shared use of the FEC corridor for FEC freight operations, AAF proposed passenger operations and Tri-Rail commuter rail service must be fully analyzed in the AAF DEIS in order to understand and evaluate the impact of these multiple rail operations on the existing corridor. The DEIS should be clear on what rail infrastructure is contemplated by each railroad. The impact of combined service on the existing single track and double track corridor must be fully explored and evaluated. The DEIS should be clear on how many tracks are being provided throughout the length of the existing corridor; it should also discuss the potential for use of the CSX tracks in Figure 4.1.2-3 since the CSX corridor will be integrated with future rail traffic of all types.

4.1.3 Navigation

The United States Coast Guard (USCG) has reviewed the Project and determined that six of the proposed bridges (the new bridge across the St. Johns River parallel to SR 528, and the proposed second-track bridges across the Eau Gallie River, St. Sebastian River, Crane Creek, Turkey Creek, and the Hillsboro Canal in Broward County) will require bridge permits (USCG letter May 1, 2013, Appendix 4.1.3-B). The USCG requested that a navigation analysis of these bridges be included in the EIS (USCG letter July 24, 2013, Appendix 4.1.3-A). This detailed analysis is provided in Appendix 4.1.3-C, Navigation Discipline Report. The USCG determined (USCG letter May 1, 2013) that an additional twelve bridges that would be reconstructed as part of the Project are exempt from obtaining bridge permits. The reasons provided by the USCG for their exemption include that they are either not navigable other than by rowboats, canoes, or small motorboats and existing navigational clearances would be maintained; fall under the Coast Guard Authorization Act of 1982; or are not subject to tidal influence, not used for substantial interstate or foreign commerce, and not susceptible to such use in their natural or potentially improved condition. USCG did not make any findings concerning other fixed-span bridges where superstructure replacement would be required to accommodate the proposed second track. At a meeting held on August 12, 2013 (see Appendix 4.3.1-A for meeting notes), USCG indicated that information on the operations of all moveable bridges within the Project Study Area would be required to determine if there would be any operational effects on navigation. USCG also requested information on the navigation conditions at the New River Bridge within the WPB-M Corridor.

This section provides a summary of existing navigational conditions for the proposed new fixed bridge over the St. Johns River and for three existing moveable bridges (Figure 4.3.1-1):

- The St. Lucie River (St. Lucie/Martin County);
- The Loxahatchee River (also known as the Jupiter River, Martin/Palm Beach County); and
- The New River in Fort Lauderdale (Broward County).

4.1.3.1 Methodology

This section describes the methods used to evaluate existing vessel traffic at the three moveable bridges and to evaluate existing economic conditions associated with the maritime industry at these locations. This study considers data presented in previous traffic studies performed by others, and includes detailed analyses and simulation modeling results based on current and future freight train operations, proposed passenger rail, and recent boat traffic surveys. These studies and analyses include:

- Literature reviews of vessel traffic studies conducted at each bridge;
- Summaries of 2014 vessel traffic surveys gathered through video assessments;
- Summaries of bridge closure data;
- A detailed analysis of the existing vessel traffic and bridge schedules;
- A detailed analysis of the marine industry at each bridge;
- Socioeconomic analyses; and
- Results from a discrete-event simulation model of vessel traffic.

Vessel Survey Modeling

Vessel traffic on the New River, Loxahatchee River, and St. Lucie River were characterized based on a traffic survey and video survey.

2014 Vessel Traffic Survey

As described in the 2014 *Navigation Discipline Report* (Appendix 4.1.3-C) video recordings from cameras located at FECR's bridges at the St. Lucie River, Loxahatchee River, and New River were provided by FECR. The videos contain approximately two to three weeks of data from the peak vessel traffic season, and in some instances a holiday, and were used to quantify the number and types of recognizable vessels that pass under the bridges under existing conditions. The raw data collected includes the number and size of commercial and recreational vessels that pass under the bridges. These data were summarized and organized to show differences and patterns between and within weekdays, weekends, and different times of the day (AMEC 2014a).

Comment: The USCG reviewed the Navigation Discipline Report (NDR) for the AAF Passenger Rail Project prepared by AMEC for AAF. The USCG commented on the report in a letter dated 02 June 2014 to Charlene Stroehlen, P.E. Senior Associate Engineer AMEC – Environment & Infrastructure authored by Barry L. Dragon, Director, District Bridge Program, Seventh Coast Guard District. The letter makes the following comments:

In Sections 2.6.2 and 6.0, the NDR addresses evaluation criteria and a criteria matrix for assessing the No-Build alternative and the Proposed Action's impact on identified navigation needs. While information on the impacts on navigation received from the applicant will be analyzed, the Coast Guard will make the ultimate determination as to whether or not the impacts on navigation are unreasonable.

The Coast Guard, in making a permit decision, must preserve the public right of navigation while maintaining a reasonable balance between competing land and waterborne transportation needs. We do so by taking a balanced approach to total transportation systems, both land and water modes, in all bridge actions. At this time, we are unable to fully assess the potential impacts and will require more information on the following issues prior to making a permit decision:

- 1. The impacts on navigation from the natural flow of these waterways, including currents and water velocity fluctuations, while vessels await openings at these drawbridges remain unknown;*
- 2. The affected drawbridges set the most restrictive vertical clearance on these waterways, and a large percentage of vessels cannot transit the bridges in the closed position;*
- 3. Any increase in the existing closure periods at the drawbridges spanning these waterways may not provide for the reasonable needs of navigation;*
- 4. The methodology used in the NDR may be sufficient to assess the waterways' trends and uses for purposes of making a navigation impact determination. However, the Coast Guard is unfamiliar with the model and needs to evaluate the assumptions and data therein.*

Accordingly, additional study will be required to determine the reasonable needs of navigation on these three waterways in the vicinity of the drawbridges. To advance the NEP A process, we support including the NDR as an attachment to the DEIS as it informs the choice of alternatives for analysis. The DEIS should note that the Coast Guard still must make a determination as to the prospective impacts on navigation in the vicinity of the three

drawbridges spanning the New River in Broward County, Loxahatchee River in Palm Beach County, and the St. Lucie River in Martin County and that the DEIS will be used to inform that Coast Guard determination.

If the Coast Guard determines the proposed AAF operating schedule unreasonably impacts navigation on the New River, Loxahatchee River and St. Lucie rivers, it may be necessary for the Coast Guard to amend existing bridge regulations and require modifications to those bridge operations so that navigation is not unreasonably burdened.

Comment: This author is in agreement with the comments and recommendations contained in the above letter. We also believe the Vessel Traffic Study and the impact on navigation is flawed in part as a result of the inaccuracy introduced in the model by not including the planned Tri-Rail Commuter Operations and all of the increase in Florida freight rail operations. The number of trains per day and the length and speed of the freight trains not accounted for result in far more numerous openings and closure times at the FEC New River Bridge. The impact on navigation at the New River, Loxahatchee and St. Lucie river movable bridges is far greater than shown in the NDR prepared by AMEC which forms the basis for the impacts on navigation contained in the DEIS. In addition a study of marine traffic at the New River presents information indicating the number, type and height above waterline of vessels navigating the New River, at the FEC New River Bridge is greater than the vessel traffic study contained in the DEIS. The Vessel Study referred to is the:

Vessel Traffic and Bridge Closure Survey New River, Fort Lauderdale, Florida. Prepared by: Susan Engle, John Maxted, James Anaston-Karas, of Envirocare Solutions International, with subcontractor support provided by: Photography and Video, Ken Maff, Susan (Suki) Finnerty, Lucas Suski and John Place and Watercraft Identification performed by Ken Maff, Debora Radtke, and Wendy Umla.

The report is dated November 2014, with excerpts included as an Appendix to this document submitted by the Coalition of Concerned Ft. Lauderdale Area Property Owners, Boaters, and Marine Industry Businesses.

The DEIS in its present form regarding impacts on navigation must be rejected and revised to include an assessment of all future projected rail traffic at the New River, Loxahatchee and St. Lucie river movable bridges.

Finally, the vessel traffic simulation (as it was demonstrated at FRA's public forums in South Florida) was unrealistic. Licensed sea captains and casual boat operators alike with local knowledge of New River are aware of its treacherous conditions, not the least of which is tidal current with occasional velocity exceeding 4 knots. Accordingly, a computer model which demonstrates vessel maneuverability similar to automobiles is unrealistic and not representative of the real river navigation conditions.

Page 4 – 20

4.1.3.2 Existing Navigation Conditions

This section describes the nine waterways and the existing (2013) navigation conditions and operations at each waterway.

Comment: This report does not comment on the navigation conditions at the St. Lucie and Loxahatchee river movable bridges. Comments on these bridges have been submitted by other parties. In addition this report does not comment on the fixed bridges.

New River

The New River originates in the Everglades and flows east to the Atlantic Ocean, entirely within Broward County. The New River is an extensive branched tidal waterway in Fort Lauderdale, which discharges to the ocean at Port Everglades. The waterway travels from the Intracoastal Waterway east to the west past residences and through the Central Business District of the City of Fort Lauderdale. West of the Central Business District, the river splits into North and South forks.

The North Fork of the New River is a shallow meandering tributary, bordered primarily by residences with private docks. The South Fork is a wider, deeper tributary, which supports larger vessels and is bordered by residences and commercial marine industries. Most marinas at the South Fork are located approximately 2.5 to 3.5 miles from the New River Bridge, and numerous boat yards extend to approximately 6.8 miles from the New River Bridge

The New River has a robust waterfront industry, with vessel traffic utilizing a broad array of public and private marine facilities including 12 marinas and four boat ramps; there are also four boat/yacht clubs, two waterfront restaurants, and two waterfront hotels that cater to mariners. The marinas range in scale from five slips to more than 190 slips, with an average of approximately 42 slips per marina. Marinas on the New River comprise approximately one third of all marinas in Broward County. The largest concentration of marinas is located on the South Fork of the New River approximately two miles west of New River Bridge (AMEC 2014a). The majority of Fort Lauderdale's recreational boating industry (repair facilities, boatyards, boat sales, equipment sales) are also west of the bridge. Residential and commercial development occurs along the navigable extent of the New River, which provides approximately 280 private slips and 3,750 private docks. Hundreds of private docks, with boats up to 100 feet long, are also upriver of the bridge. According to a Broward County vessel traffic study (Mote Marine Laboratory 2005), recreational boating represents an estimated \$8.8 billion segment of the local economy. In addition to private recreational boats, the New River is also used by commercial sightseeing vessels. The New River going inbound (or up river) starts at river markers five and six. The river is approximately 450 feet wide through marker 11 where the river makes an "S" turn to marker 12, known as the Tarpon Bend. Beyond marker 12 and into the Central Business District, the river is on average less than 150 feet wide, but can be as little as 100 feet wide at some narrower turns. This section of the river can be too narrow for larger vessels, which can include yachts up to 140 feet in length. Towboats are often utilized to tow 100-foot yachts and larger vessels up and down the New River to and from several large boat yards that cater to yachts (e.g., Lauderdale Marine Center). All of the commercial vessels; such as the tour boats, tow boats and fuel barge boats; as well as bridges (including the FECR New River Bridge), monitor very high frequency (VHF) channel 9.

The New River Bridge is located approximately 4 miles west of the New River's inlet. The FECR railroad bridge, a 2-track bascule bridge, crosses the waterway west of St. Andrews Avenue. The river at this location is approximately 135 feet wide. The bridge has a vertical clearance of four feet and a horizontal clearance of 60 feet (AMEC 2014a). The bridge is currently kept in the open position and lowered for freight train passage in accordance with USCG Drawbridge Operation Regulations at 33 CFR 111.313(b). A bridge operation survey performed through observations of live feed shows that the New River Bridge is closed on average 19 minutes per closure.

Comment: The closure time reported in the Vessel Traffic and Bridge Closure Survey New River, Fort Lauderdale, Florida. Prepared by: Evirocare Solutions International indicates closures with rail operations as they exist today, marine vessel traffic is delayed at the FEC bridge by approximately 9 to 72 minutes, which occurs 2 to 7 times per day during daylight hours.

Based on the January 2014 FECR video, an average of 157 vessel crossings occurred at the New River Bridge (Min=99; Max=289) on a daily basis (6:00 AM to 6:30 PM) from Monday through Friday compared to an average of 356 vessels (Min=262; Max=508) per day on a weekend day. As shown in Table 4.1.3-2, the average count of commercial vessels per day ranged from 29 to 59 and the average count of recreational vessels per day ranged from 64 to 356. There was an increase in recreational vessel traffic by approximately 64 percent during the weekend; an increase in commercial crossings during the weekend was not observed during this two-week assessment. Both Sundays observed during this two week video assessment (January 19 and January 26) had the most vessel activity, with a total 304 and 508 vessel counts from 6:00 AM to 6:30 PM, respectively. Wednesdays and Thursdays reported the lowest vessel activity with an

average of 114 and 136 vessel counts, respectively. The average vessel count for Monday is likely higher than normal since it includes data from January 20, 2014, which was a holiday. (AMEC 2014a).

The average vessel count observed during the February 2014 New River live feed observations was lower than values obtained from the January 2014 New River Bridge video assessment (Table 4.1.3-2). However, the density of traffic was similar throughout the week, with lower vessel traffic on Thursdays and an increase in vessel traffic over the weekend. A higher traffic of recreational vessels was observed compared to commercial vessels. Most commercial vessel trips account for those made by taxi boats, the Jungle Queen, a sightseeing riverboat cruise, and towing services (AMEC 2014a).

Table 4.1.3-2 Daily Vessel Traffic at the St. Lucie, Loxahatchee, and New River Bridges, January 2014 ¹

	St. Lucie River	Loxahatchee River	New River
<i>Recreational Vessels</i>			
Minimum	26	5	64
Maximum	406	500	356
Average	117	148	166
<i>Commercial Vessels</i>			
Minimum	2	0	29
Maximum	21	14	59
Average	4	9	49
<i>Total Vessels</i>			
Minimum	28	5	99
Maximum	413	502	508
Average	121	157	215

Source: AMEC. 2014a. *Navigation Discipline Report for the AAF Passenger Rail Project from Orlando to Miami, Florida*. July 2014.

1 Vessel traffic was assessed during January daylight hours, from 6:00 AM to 6:30 PM

Comment: The Vessel Count contained in the Vessel Traffic and Bridge Closure Survey New River, Fort Lauderdale, Florida. Prepared by: Evirocare Solutions International, disagrees with the number reported in the DEIS as shown in the following excerpt from the study.

“The variance of vessel traffic during high season (i.e. tourist season/ non-hurricane season from December to May) versus low season (hurricane season June to October) was examined. Based on three years of data from Broward County bridge operations in the downtown only (with some extrapolations for missing monthly data), the average:

- High season number of vessels is 1,272 and bridge openings is 925
- Low season number of vessels is 979 and bridge openings is 781

Thus, about 30 percent more vessel traffic is experienced in the height of season, with about 18 percent more bridge openings”.

The variance in the number of vessels indicates that the DEIS is seriously flawed with respect to the impact on navigation at the New River Bridge.

SECTION 5, ENVIRONMENTAL CONSEQUENCES, REVIEW AND COMMENTS

Page 5 – 7

5.1.2.2 Environmental Consequences

This section presents the potential impacts of the Project on rail transportation, highways, and local roads, in comparison to the No-Action Alternative in the same analysis year (2016, projected to be the first year of revenue service).

Page 5 – 9

Rail Impacts

The Project passenger operations would include 16 round-trip passenger trains per day, which amounts to a maximum frequency of two passenger trains crossings per hour. Maximum operating speeds would range from 79 to 125 mph, depending upon the location along the E-W or N-S Corridors. Operating speeds will be greatest along the E-W Corridor where there are no highway-rail grade crossings. From the station at MCO to the station at West Palm Beach, service would be nonstop, as there are no intermediate stations proposed.

The N-S Corridor has been designed to cause no adverse impact on freight operations, and has an assumed beneficial impact on freight operations. The addition of passenger rail service would require modifying the mostly single-track system to a mostly double track system, which would be used by both passenger and freight operations. This will improve freight efficiency by increasing average operating speeds. As a result, the Project would have beneficial impacts on future freight traffic along the N-S Corridor. There are no existing freight rail operations within the E-W Corridor; therefore, no impacts to freight rail operations would occur in the E-W Corridor with Alternatives A, C, or E.

The Project would also have a beneficial impact on the passenger rail transportation network between Orlando and Miami by providing potential customers with an alternative means of rail transportation. The Project is designed to provide a direct, nonstop rail service from MCO to West Palm Beach, which is a different service geographically and functionally compared to the existing Amtrak service. The Project would also provide more frequent and regular service, which would result in more flexibility to potential customers. Riders for AAF are expected to be primarily diverted from automobile modes (69 percent of forecast ridership). However, 2 percent of the AAF ridership is forecast to accrue from competing passenger rail services, which would include the existing Amtrak service. In 2019, this amounts to approximately 30,526 annual trips (Table 5.1.2-3) diverted from Amtrak, which is about 4 percent of Amtrak's FY2012 ridership along the Silver Star (425,794) and Silver Meteor (375,164) corridors (Amtrak 2012). No diversion from Tri-Rail is anticipated. Tri-Rail provides frequent commuter-rail service between West Palm Beach and Miami, with multiple stops and relatively low fares. The infrequent intercity passenger rail service provided by AAF would have fewer stops and higher fares, and would not be expected to divert a significant number of riders.

"It's hard to get an exact estimate of the number of vessels that travel west of the FEC rail bridge, but larger boats that require openings of the nearby Andrews Avenue bridge, can be tracked by looking at the bridge tender logs." The number of openings for the Andrews Avenue Bridge is stated in the article as, "All told, the Andrews Avenue Bridge does about 10,000 openings per year. Peak months are March, April and May. The highest month was March, with 962 openings. The lowest month was September, with 623. And that's just counting the larger boats that need more than the 18 feet of vertical clearance provided by the Andrews Bridge when it's closed. Smaller powerboats such as center consoles, runabouts and skiffs — all of which would still require the FEC rail bridge to open — are not counted. Working by remote control, the FEC bridge is lowered for about a dozen freight trains each day. But the new passenger service would double, even triple the number of times it would have to go down."

Existing and Proposed Rail Operations were described as follows in the presentation to The Florida Senate, Committee for Commerce and Tourism, On October 7, 2013, by Rusty Roberts, FECI. Excerpts from the report:

Proposed Passenger Operation Details:

- Hourly northbound and southbound service starting in the early morning and ending in the evening
- Trains will travel
 - Up to 79 mph between Miami and West Palm Beach
 - Up to 110 mph between West Palm Beach and Cocoa
 - Up to 125 mph between Cocoa and Orlando
- Speed is based on factors such as curvature, signaling, track condition and the number of grade crossings

All Aboard Florida claims its passenger trains will:

- Be faster and lighter than the freight trains that currently operate in the existing rail corridor
- Consist of two locomotives and seven passenger cars – train sets will be less than 1,000 feet
- Clear intersections in less than a minute
- Use clean diesel fuel and meet the highest emissions standards

Differences between Freight and Passenger Trains in the Existing Rail Corridor

	Freight Current Conditions	Passenger Expected Conditions
Average Train Length	7,800 feet	900 feet
Trains Per Day	18	32
Average Speed	38-52 MPH	79-125 MPH

Future Freight

AAF's proposal hinges on what this report considers a faulty assumption- that there will be no additional bridge closure delays due to volume of train traffic, freight and passenger combined. As stated in AAF, Environmental Assessment:

"At the highest utilization rate of the ROW, which occurred in 2006, there were 23 through-freight trains per day over this FEC corridor running daily on the existing track (i.e., those trains running through one or more terminals before reaching a final destination, as opposed to local freight trains serving customers along the line). By contrast, and as discussed herein, the operations proposed for the Project – even when combined with existing and future freight operations – will be more limited. This is true because more efficient freight operations with faster, longer trains, have resulted in a reduced usage, with only 10 daily through-freight trains in operation today."

We consider this vastly understated, with our engineering assessment arriving at an estimate three times the AAF claim. This is supported by extensive evidence presented below.

First, the national and international attention, 13 international Enterprise Florida Offices abroad including the cargo-rich Pacific Rim (Shanghai, Hong Kong, Taiwan, and Tokyo),¹ private and public investments in Florida Seaports, intermodal logistics centers, and inland ports – all portend more freight traffic. Some question whether one of the main drivers of extra freight, which is the completion of the Panama Canal extension, will be delivered on time. A recent conference presentation by a Canal representative, and **(coincidentally) moderated by Florida East Coast Railway (FEC) President** and Chief **Executive Officer Jim Hertwig**, downplayed the recent work stoppage and reassured the audience that the

¹ See also article available [online] <http://government.brevardtimes.com/2014/03/florida-opens-business-development.html> , March 31, 2014.

massive public works project is on target for end of 2015 completion.² Of course increased shipping through the Panama Canal will mean little to Florida if the freight can't be captured and distributed through the Port of Miami. "The port [of Miami]'s access to rail and intermodal connections will be key to making it an attractive port for shippers," said Bill Johnson, Director of the Port of Miami.³

Next, consider the overview of testimony of FEC President and CEO James Hertwig at the 16th Annual Transportation & Infrastructure Summit Conference held in Irving Texas (August 7, 2013) which underscores freight opportunities, and public and private investment at the Port of Miami and Port Everglades:

FEC Overview

- 351 miles of mainline track
 - Only railroad along Florida's east coast
 - Unparalleled link between Florida rail traffic and nation's rail network
- Most direct and efficient North/South mode for transporting multiple types of freight
 - Competitive advantage over motor carriers due to highly congested roadways and challenging trucking environment
- Attractive freight mix
 - Intermodal containers and trailers
 - Carload
- Crushed rock (aggregate)
- Automobiles, food products and other industrial products
- Connect to national freight network via CSX and Norfolk Southern in Jacksonville

Florida Market Overview

- Large Consumer Market
 - 4th largest state economy in the U.S. (by GDP)⁴
 - Over 19 million residents, 3rd largest state population behind California and Texas⁵
 - More than 85 million out-of-state visitors annually⁶
- Strategic Location
 - Primary gateway to Latin America; accounts for more than one-third of all U.S. trade with Latin America
 - 3 of the nation's 15 largest container seaports
 - Closest U.S. ports of call from Panama Canal (Port Miami and Everglades)

The Asian Market Opportunity

- Panama Canal expansion will allow larger vessel passage
 - Currently can accommodate 4,800 TEU vessels

² Available [online] <http://www.progressiverailroading.com/shippers/article/Panama-Canal-expansion-will-be-completed-by-2015s-end-canal-official-says--39862>, March 31, 2014.

³ Available [online] <http://www.progressiverailroading.com/shippers/article/Panama-Canal-expansion-will-be-completed-by-2015s-end-canal-official-says--39862>, March 31, 2014.

⁴ Bureau of Economic Analysis, University of Florida.

⁵ Florida Chamber Foundation and Florida Department of Transportation report (December 2010).

⁶ VisitFlorida.com: <http://media.visitflorida.org/new/news.php?id=230>

- Post expansion, Canal will accommodate 13,000 + TEU vessels which will allow for faster all-water times to the East Coast for the more cost efficient “large vessels” (larger vessels are 30% more cost efficient)
- Currently only 2 ports on the eastern seaboard with 50’ water depth
- Over the last 3 years, the Port Miami received funding for over \$1.0 billion in infrastructure improvements, which combined with the Panama Canal expansion, will make it a gateway for import/export activity
 - On-dock rail restoration, with direct rail access to intermodal yard (FEC), and straight-track access to North Florida and beyond utilizing FEC Railway infrastructure (Completion: 2nd half 2013)
 - The Tunnel project will allow for better, and incremental access of freight flows in/out of the Port (Completion: May 2014)
 - 50’ dredge expected to be completed in 2015 in concert with the Panama Canal expansion project

Strategic Initiative: On-dock rail service at Port Miami

- Implementing on-dock rail service at Port Miami allows FEC to directly serve Port customers
 - Only railroad with direct access to the Port
 - Trains will be run directly from the Port to the FEC mainline
- Total project cost \$45-50 million
 - Federal TIGER II grant (\$23M)
 - Florida DOT (up to \$9M)
 - Miami Dade County (up to \$5M)
 - FEC (up to \$9M)
- Q2 2013 Update
 - Rail line lead to Port has been completed
 - Bascule Bridge rehabilitation phase has begun
 - Joint marketing program with the Port has begun
- Estimated startup date: 2nd half 2013

Strategic Initiative: ICTF and near dock rail service at Port Everglades

- ICTF Groundbreaking Event took place on January 17th to announce the start of construction on a 42 acre Intermodal Container Transfer Facility
- Total Cost: \$73M
 - FEC-State Loan and Cash ~ \$35M
 - Broward County ~ \$20M
 - State Grants ~ \$18M
- Q2 2013 Update
 - Lease agreement with Broward County executed
 - ICTF design-build request has been awarded to The Milord Company
 - Received State Loan funding in Q3
- Estimated completion during the 1st half of 2014

COMMENT: It is therefore clearly evident that FECR and FECI fully expect to provide increased freight rail operations in the near future. The AAF proposal for Passenger Rail Service is only one component of the total rail traffic that needs to

be analyzed in considering all of the impacts which will have an effect on marine traffic transiting the FECR corridor and the marine community in general i.e., yachting service industry, real estate interests, marinas and repair facilities, which are located west of the FECR corridor.

The FRA, USCG and other permitting agencies must also not neglect analysis and engagement with CSX railway. Recalling that CSX is approximately four times the size of FEC in Florida, this is another huge factor driving future rail planning in South Florida. While CSX rail lines are not directly connected dockside like FEC, CSX is integral to cargo movement throughout the State and to seaports outside of South Florida. If there is any doubt about its future business interest moving freight, one example is its April announcement of the opening of the Central Florida Intermodal Logistics Center in Winter Haven, FL. Owned by Evansville Western Railway, the 318-acre facility... “will be operated by CSX Intermodal Terminals Inc. and served by CSX Transportation. Containerized freight previously handled at CSX’s Orlando terminal will be shifted to the Winter Haven facility, while the Taft yard in Orlando will continue to serve other CSX needs. [It will] ... serve as a centralized hub for transportation, logistics and distribution needs in Orlando, Tampa and South Florida.”⁷

3. Time and delay of rail operations, existing and future



Pictured above, FEC Rail Bridge in down position causing transiting boats to circle or temporarily tie up to limited dock space (if available). (2014 photos)

⁷ Available [online] at <http://www.progressiverailroading.com/prdailynews/news.asp?id=39979>, April 03, 2014.



Pictured above, FEC Rail Bridge closing with boat traffic approaching). [2014 photos]

The operation of the movable bridges falls under the jurisdiction of the USCG and is regulated by Rules and Regulations published in The Code of Federal Regulations under Title 33, "Navigation and Navigable Waters". The FECR bridges in question are presently unmanned and opening and closing operation is fully automatic utilizing electronic sensors and cameras located at the bridge site. The opening and closing operations are controlled utilizing the information transmitted from the sensors and cameras at the bridge site to the FECR central control board located at New Smyrna Beach.

The existing rail operations on the FECR Bridge 341.26 as shown in Table 3.3-1 Existing and Future Freight Train Operations (No-Action Alternative) in the DEIS consists of an average of 14 freight trains per day. The bridge is normally left in the open position to allow navigation unrestricted access. The bridge is operated remotely and the operation to close the bridge to navigation and permit rail traffic to cross commences when the control center is alerted to an approaching train which requires the bridge to be closed. When trains approach, a horn blows and a timing board with neon numerals visible to boaters is activated with a 5-minute countdown by seconds to span closure. Additionally, electric eyes scan the channel to assure clearance before closing. Machinery will not operate automatically until all systems are cleared. Trains are warned when bascule operations are interrupted and begin slowing for a stop until fully cleared to transit the bascule bridge. Eye witness accounts of the closing procedure have reported that the initial 5-minute countdown has been in some

cases 6 minutes in duration. Presently there is no rule in the CFR regarding the FEC New River Bridge. The USCG has asked FEC to request a rule for Bridge 341.26 however FEC has not complied. A specific rule regarding the amount of time the bridge is to be open per hour is a necessity for the FEC bridge when considering the planned operations by FEC, AAF and Tri-Rail.

Train lengths reported in presentations made by FECR are 7800 feet long and travel at speeds varying from 38 to 52 MPH. Several videos of FECR trains transiting one of the three movable bridges indicate the train consisted of two engines pulling 161 cars of intermodal freight. 161 intermodal cars having a length of 64 +/- feet per car would have an overall length of 10300 feet. Other videos found during research for this report also indicate FECR intermodal trains containing more than 200 cars which would have a length of 12800 feet.

Assuming a speed at the lower range of 38 MPH approx. 50 feet per second, is more likely to occur in the Ft. Lauderdale area with numerous grade crossings and the New River Bridge. Using the 7800 foot train length quoted by FECR the time required for the train to travel across the bridge is $7800 \text{ feet} / 50 \text{ FPS} = 156 \text{ seconds}$ which equals 2.6 minutes. Likewise the 12800 foot train passage is $12800 \text{ feet} / 50 \text{ FPS} = 256 \text{ seconds}$ which equals 4.3 minutes. Slower speeds would increase the time required for a train to pass the bridge.

The most optimistic total time to close the bridge to navigation, allow the train to pass over the bridge and open the bridge to navigation can be estimated to be 5 minutes for the initial countdown, 1.5 minutes to lower the bridge, 4 minutes for the train to pass over the bridge and 1.5 minutes to open the bridge for navigation to pass which totals **12 minutes per freight train passage**. The **total delay time for the 14 freight trains per day** would be 168 minutes or 2.8 hours which can be rounded to **3 hours** (considering the variables) where navigation is halted.

Future Rail Operations

Future rail operations will consist of the exiting freight rail and the proposed passenger rail operations proposed by AAF and Commuter Rail Operations proposed by Tri-Rail; also the probability of increased freight traffic due to the improvements at Port Everglades and Port Miami described by FECR in their presentation to the 16th annual Transportation and Infrastructure Summit need to be considered. The increased tonnage expected at these ports is order of magnitude **three times greater than presently handled at these ports according to the FECR presentation**. There is therefore a possibility for rail freight operations to triple to meet this additional demand required to move the container (intermodal) traffic northward from Port Miami and Port Everglades to Jacksonville and connections to other freight carriers. Accordingly, this author anticipates that train movements to be accounted for in the future would consist of 33 (11X3) freight trains per day, plus the 32 planned passenger trains proposed by AAF and up to 60 trains per day proposed by Tri-Rail Coastal Link service..

Summary of Possible Freight plus Passenger Time Delay

The total time required for freight operations would be 2.5 hours (present closure time) multiplied by 3 equals 7.5 hours. The total time for passenger operations would be **8.5 minutes per train** passage based on an 800 foot long passenger train operating at a speed of 20 MPH average due to the close proximity of the proposed train station to the bridge and the same 5 minute countdown and 1.5 minutes to close and open the bridge. The total time for passenger operations can be estimated at **8.5 minutes** multiplied by 32 trains equals 272 minutes or 4.5 hours. **Future rail delays for the combined freight and passenger operations would therefore be estimated in the range of 12 hours per day** during which navigation would be halted. The Tri Rail Coastal link service is proposed to cross the New River in Fort Lauderdale on a mid-level movable bridge having a minimum vertical clearance of 21 feet above mean high water. Not all vessels will be able to navigate under the proposed Tri Rail bridge without an opening. The number of openings required by navigation to cross under the Tri-Rail Bridge will need to be factored in to the total number of openings. The combined effect of all of these rail operations must be included in the AAF DEIS to properly evaluate the impact on Navigation. In this regard the Draft DEIS is seriously flawed.

This time delay is considered extremely conservative, given eye witness accounts of closures ranging between 17 to 20 minutes (under current conditions). Absent closure records from FEC/AAF, Envirocare Solutions International conducted video and web cam monitoring to accurately document closure times.

Assuming freight traffic 3 times higher than AAF's published forecast, The Table below presents a sensitivity analysis considering what likely scenarios result from real world conditions (i.e. train delays, switching delays, etc.). Considering average passenger closure times ranging from 8.5 to 12.5 minutes, and average freight closure times from 12 to 19 minutes, ***the duration of closure per day could be as high as 17 hours.***

Bridge closure time scenarios

Train Type	AAF train forecast			Best case scenario A			Likely scenario B			Likely scenario C		
	Trains / day	Min./ closure	Closure time (hrs.)	Trains / day	Min./ closure	Closure time (hrs.)	Trains / day	Min./ closure	Closure time (hrs.)	Trains / day	Min./ closure	Closure time (hrs.)
Passenger	32	8.5	4.5	32	8.5	4.5	32	10.5	5.6	32	12.5	6.7
Freight	11	12	2.2	33	12	7.5	33	17	9.4	33	19	10.5
Total Hours Closed			7			12			15			17

1. The number of trains in this table only considers FEC and AAF rail traffic. Tri-Rail Trains will operate over a separate mid-level movable bridge which requires a separate evaluation of estimated closure times for the number of trains/day proposed by Tri-Rail (60 trains per day in the Tri-Rail Coastal Link EA) and an estimate of vessels taller than 21 feet requiring an opening to pass through this part of the channel.
2. This report also recommends that AAF Passenger Rail service should run on the proposed Mid-Level Bridge along with Tri-Rail commuter service.

Even if the increase in freight traffic is not realized fully, the paramount question remains – what will be the impact of the Coastal Link project, which goal is to bring passenger rail to the FEC line? For comparison, the Tri-Rail passenger rail now runs at 40-50 trains daily.

4. Impacts on navigation and the marine community

The impact on navigation is an increase in delays caused by the bridge closures which at present are approximately 2.5 hours per day which would increase to approximately 12 hours or more per day (best case scenario from above). The 12 hours per day is based on a single one direction train movement over the bridge. The possibility of combined movements one in each direction will be discussed later in this report.

Negative impacts on the marine community and navigation resulting from the reduced time allowed for navigating the New River are:

- Additional cost of fuel resulting from slowed or stopped navigation.
- Additional time delay related cost for tow services required for larger vessels.
- Increase in travel time to reach destination points.
- Additional cost of crew time.
- Cost of time related delays to commercial and fishing operations.
- Loss of revenue to the various providers of services to the marine community i.e., marinas, repair facilities, yacht sales etc. resulting from mariners seeking more convenient locations.
- Loss of value to property resulting from mariners and the marine community seeking more readily accessible locations.

5. Engineering recommendations

The engineering challenge is to mitigate negative impacts of unreasonable bridge closure. Under the NEPA (EIS) process, credible engineering comments filed with the Federal government will elicit responses from the applicant. Though AAF

dismissed several options such as tunneling, elevated tracking or separated tracks in its EA, those options and others should be advanced again if the project's impact, together with future Coastal Link impacts, is to be mitigated.

Viable options that need to be discussed in the DEIS should include the following possible means of mitigating negative impacts:

- Revisit earlier proposals to elevate over the New River at the FECR crossing. From a recent field observation,⁸ the other bascule bridges spanning the New River offer overhead clearance of between 17 and 21 feet above the mean water level.⁹
- Revisit earlier proposals to tunnel under the New River at the FECR crossing.
- Shift some of the proposed rail operations to an adjacent rail corridor i.e., CSX or Tri-Rail.
- Combine train movements to occur simultaneously in two directions thereby reducing the number of closures required.
- Shift train movements to off peak periods i.e. after midnight affording more daylight time for navigation to transit the waterway.
- Optimize train lengths to reduce the number of train movements.
- Provide a full time bridge operator at the bridge to reduce the initial 5 minute countdown period required by the current remote operation of the bridge.
- Improve the waterway using contributions from AAF/FECR/FECI which would aid navigation permitting easier faster passage along the waterway.
- Investigate the possibility of constructing a new movable bridge at an elevation less than the required 55 feet for a fixed bridge that would permit both freight and passenger operations on a suitable approach grade, thereby reducing the number of openings required to pass smaller vessels.
- Investigate providing a parallel high level fixed bridge adjacent to the existing FECR Bridge to accommodate all AAF passenger operations while keeping freight operations on the existing bridge.
- Investigate improvements in the machinery and power requirements for the existing bridge to reduce the time required to open and close the bridge.
- Investigate replacing the movable bridge with a different type movable bridge that would require less time to open and close.
- Investigate any combination of the above suggested measures which would be of benefit.

Some of the above recommendations have been included in the draft DEIS in similar form.

Included in this report are suggested alternates for mid-level movable bridges for combined passenger rail operations for AAF and Tri-Rail and a high level alternate for a fixed and a movable bridge with approach viaducts for combined AAF and Tri-Rail Passenger and commuter rail operations. The suggested alternates have examined the Tri-Rail Environmental assessment and found that the proposal for a two track mid-level movable bridge adjacent to the existing FEC New River Bridge is not feasible within the existing ROW. The width of the framing for the existing bridge which is centered on the FEC ROW leaves insufficient room on either side to construct a new double track bridge. Our investigation concludes that it is possible to build two separate movable mid-level bridges one on each side of the existing bridge. This needs to be evaluated and included both in the AAF DEIS and the Tri-Rail EA and EIS.

The alternates investigated and recommended by this report to be included in the AAF and Tri-Rail documents are:

- Mid-Level Movable Bridges (21 foot vertical clearance above MHW in the closed position)
- Fixed High Level Bridge (55 foot vertical clearance above MHW)

⁸ Observed by Jim Karas, March 2014 boat tour.

⁹ This does not consider sea level rise predictions of 9 to 24 inch water level increase by the year 2060 as discussed elsewhere in this report.

- Fixed High Level Bridge with a movable span permitting tall masted vessels to pass thru without having to step their masts.

Mid-Level Movable Bridge Alternate

A mid –Level movable bridge carrying all proposed AAF passenger rail and Tri-Rail commuter traffic has the capability of reducing the number of openings required for a low level bridge such as the existing FEC New River Bridge. The Existing bridge is situated such that the vertical clearance is 4’ at MHW. This permits only rowboats, canoes, kayaks and small motor boats to pass without requiring an opening. A mid-level bridge or set of bridges would allow passage of vessels having a height of 21 feet or less at MHW to pass without requiring an opening, and is consistent with the nearby downtown moveable road bridges. The other distinct advantage is that the existing bridge FEC bridge need only carry freight operations and could conceivably be left in the open position for longer periods.

High Level Fixed Bridge Alternate

The High level fixed bridge alternate (55 foot vertical clearance above MHW) would carry all proposed AAF passenger rail and Tri-Rail commuter traffic. This alternate while it would greatly reduce the number of required bridge openings however limits passage to only those vessels that require less than 55 feet of vertical clearance. Sail boats with masts taller than 55 feet would not be able to pass without stepping their masts. This alternate was included in our evaluation however it is not recommended as many tall masted vessel owners lying west of the FEC New River Bridge would no longer be able to pass through this part of the channel without having to step their mast. If the process to step the mast were required perhaps only one time during the boating season this would not present a major hardship. However it was determined in the vessel study conducted by Envirocare Solutions International that many of these tall masted sail boats are berthed at locations west of the existing FEC bridge and frequently navigate this part of the river to the Intracoastal Waterway and the Atlantic Ocean. Likewise they return to their home berth also on a frequent basis. It is for this reason that we do not recommend this alternate.

High Level Fixed Bridge with a Movable Span

This alternate is the best alternate that provides the least impact on navigation and would serve FEC’s freight operation’s needs on the existing FEC movable bridge and AAF’s and Tri-Rails passenger and commuter rail needs on the high level movable bridge. While Bridge openings would be required for most vessels at the existing FEC bridge the number of closures would be limited only to the freight operations as passenger rail would operate over the high level bridge. The number of openings at the high level bridge also are less in number than for the Mid-Level movable bridge alternate as the 55 feet of clearance provided in the closed position allows most vessels except the tall masted vessels to pass without an opening thereby maximizing use of the bridge in the closed position for rail operations. This alternate is therefore the recommended alternate to accommodate future rail traffic and have the least impact on navigation.

Appended to this report are several exhibits for the alternates presented.

City of Vero Beach

1053 - 20th PLACE - P.O. BOX 1389
VERO BEACH, FLORIDA 32961-1389

OFFICE OF THE DIRECTOR
PUBLIC WORKS



December 1, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Via Email: AAF_comments@vnb.com

**Re: All Aboard Florida – Draft Environmental Impact Statement
City of Vero Beach, Florida**

Dear Mr. Winkle:

On November 18, 2014, the City of Vero Beach submitted comments regarding the All Aboard Florida Draft Environmental Impact Statement (copy attached). Since that time we have received comments from three local groups that we would like to have included with our submittal as attachments. These comments are from:

1. The Indian River County Chamber of Commerce;
2. The Indian River County Train Impact Coalition; and
3. Ruth Stanbridge, Research Historian.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Monte K. Falls", is written over the word "Sincerely,".

Monte K. Falls, PE
Public Works Director

Cc: James R. O'Connor, City Manager

MKF/ntn

V:\LAND_PROJECTS\2014\2014-02 All Aboard Florida\Docs\DEIS\Tx Addl DEIS Comments_JWinkle-FRA_Dec 01 2014.docx



DATE: November 5, 2014
To: Federal Railroad Administration
FROM: Penny Chandler, President
Indian River County Chamber of Commerce
1216 21st Street
Vero Beach, FL 32960
772-567-3491
director@indianriverchamber.com
RE: Draft Environmental Impact Statement
PROJECT: "All Aboard Florida"

Overall DEIS review summary and comments: After review of the DEIS for All Aboard Florida (The Project), we believe it is inadequate. The information regarding Indian River County, Florida and its communities that will be impacted by All Aboard Florida – Sebastian, Gifford, Vero Beach as well as the county along or near the railroad is incomplete.

Support information and appendices are missing from the report. Reputable local historians and cultural heritage experts from Indian River County were never contacted. The DEIS attempts to pass off contacts used in the southern portion Phase 1 of the project (Palm Beach to Miami) as representing and commenting on Indian River County. This is unacceptable, the representation is inaccurate, and the study not at all reflective of our cultural heritage information.

The document is inadequate in addressing primary concerns of the project on our cultural heritage sites, mitigation during demolition and construction of the San Sebastian Bridge, wildlife, social justice and the treatment of the Gifford community, and businesses. Many of the assumptions made in the DEIS are unsupported. Some statements in the report are in conflict with statements made in other parts of the report. Some of what is in the report does not match what has transpired in discussions with All Aboard Florida representatives in our community. For instance, the Gifford community was not told about the impacts the All Aboard Florida project will have in their community.

Indian River County is a "Donor" county to this All Aboard Florida project. There are no direct positive economic benefits to Indian River County, Sebastian, Florida, or Vero Beach, Florida and including the Gifford community.

The Indian River County DEIS community meeting held on November 5, 2014 at the Indian River State College, Mueller Center was a representation of those

items that All Aboard Florida desired to discuss and not necessarily those items of critical importance to the members of the Indian River County community. The project maps that were displayed by Federal Railroad Administration at this community meeting did not even have the names of the towns in Indian River County that will be impacted by All Aboard Florida project! For the record, those towns are Sebastian, Florida and Vero Beach, Florida.

Photo of map on display at public meeting is shown below:



We urge that the Federal Railroad Administration, the All Aboard Florida consulting firm, and All Aboard Florida principals Final EIS incorporate provisions that will address the issues outlined in this DEIS response document and in every other DEIS response document provided by all agencies, organizations, individuals, and governments in Sebastian, Florida, Vero Beach, Florida and Indian River County, Florida.

COMMENTS AND CONCERNS

From the Summary

S-18 last paragraph, states that *“The Project will not adversely affect (“use”) and public parks, recreation areas, or wildlife refuges. Collectively, these properties are protected under Section 4(f) of the department of transportation Act, as are historic properties.”* On page S-19 the text continues stating that *“The existing N-S Corridor bisects two of these Section 4(f) recreation resources”* and names *“Hobe Sound National Wildlife Refuge and Jonathan State Park.”*

RESPONSE: It fails to recognize that historic Pocahontas Park, the Heritage Center and the Vero Beach Community Center which are all located in an historic park. The document does not include any input from local authorities at Indian River County, Sebastian or City of Vero Beach.

- How will the consulting group address the obvious lack of communication with the Cities of Vero Beach and Sebastian, Indian River County government and local knowledgeable organizations and individuals?

S-19 Visual and Scenic Resources states that *“veiwsheds along “N-S Corridor would remain primarily unchanged.”*

RESPONSE: This area of the document addresses mostly those areas along SR528 while barely noting the railway immediately adjacent to US 1 that runs from Titusville (in Brevard County) through Wabasso (in Indian River County).

See map and information below and on next page of Indian River Lagoon National Scenic Byway which was taken directly from U.S. Department of Transportation, Federal Highway Administration website for “America’s Byways. According to this U.S. Department of Transportation website: <http://www.fhwa.dot.gov/byways/byways/16199/maps>

Indian River Lagoon National Scenic Byway

National Scenic Byway • Florida

Length 150.0 mi / 241.4 km

Time to Allow Take four hours to drive or two days to enjoy the byway.

There are no fees to drive the byway; however, some of the state and

Fees federal lands charge park fees.

The Indian River Lagoon National Scenic Byway gives access to a National Estuary providing habitat to more species than anywhere in North America. History buffs, bird watchers, anglers, surfers, swimmers, boaters, and vacationers will find excitement at a national seashore, wildlife refuges, state park, museums, the Kennedy Space Center, beaches, and waterways.



Continued Response: Our County's economy is deeply rooted in a thriving eco-tourism industry. The Indian River Lagoon is a tourism generator from activity on the lagoon itself to the Scenic Byway mentioned here. According to Florida Atlantic University Harbor Branch, the lagoon "stretches along 40% of Florida's east coast and yields an estimated \$3.7 billion annual economic impact for the state."

- All of the above information should be included in the EIS.
- "viewshed" impacts should be acknowledged and mitigation named.

Section 4: Affected Environment

Land Use and Transportation

Section 4 Appendices have been omitted from the DEIS.

- Why?
- How will this be corrected?
- Public opinions on certain sections are difficult to make without appropriate support information.

Omitted appendices:

- 4.1.1-A Existing land use maps
- 4.1.3-A USCG cooperating agency acceptance
- 4.1.3-BUSCG jurisdictional determination
- 4.1.3-C Navigation discipline report
- 4.2.4-A Potential contaminated sites aerial photographs

- 4.3.1-A USCG Coordination meeting notes August 12, 2013
- 4.3.3.-A Characteristic plant species
- 4.3.5-A EFH assessment
- 4.3.6-A Rare species survey reports rare species consultation areas
- 4.4.2-A Minority populations
- 4.3.6-B Poverty populations
- 4.4.5-A SHPO consultation materials
- 4.4.5-B Cultural resources proximate to the project corridor
- 4.4.6-A Noise and vibration contours

Physical Environment

4.3.3 Natural Environment/Wetlands

The DEIS does document direct and indirect impacts to wetlands, protected species, and habitats.

RESPONSE: However,

- the DEIS is inadequate for proper review because no N-S Corridor FLUCCS maps or habitat and wildlife impact area maps were provided at a proper scale to verify conflicts between the proposed railroad improvements and the habitat type or associated species.
- There was no wetland maps shown to verify where track expansions and passing lanes would conflict with isolated wetlands.

4.4.5 Cultural Resources

Table 4.4.5-2 Certified Local Government/Local Informant Contacts Regarding Potentially Locally Designated Cultural Resources.

RESPONSE:

- No one from the public or private sector in Indian River County, City of Sebastian or the City of Vero Beach was contacted for information regarding cultural resources.
- County authorities were completely overlooked.
- This table names Brevard, St. Lucie and Palm Beach County only.
- This is incomplete and inadequate information.
- Who will be contacted in Indian River County to provide this information?
- How will the consultants incorporate this information into the EIS?

Further, 4-122 states *“Normally, archeological and other below ground resources will be affected by ground disturbing activities...”* as compared with above ground and that survey methods differ because of those differences. At the bottom of 4-122 it addresses the N-S Corridor and says *“the Area of Potential Effect was limited to the footprint of subsurface activities within the existing approximately 100 foot wide FECR Corridor. The historic resources APE included the N-S Corridor as well as 150 feet on either side of the N-S Corridor to allow for consideration of indirect impacts.”*

RESPONSE: *Archeological Site Significance: The Old Vero Ice Age Site is west, east and under the FEC tracks. Recent excavations by Merceyhurst at a location immediately adjacent to the railroad have uncovered meaningful artifacts and information from the “Vero Man” Sites that continue to support that people and a large variety of extinct animals were in Vero 12,000 to 14,000 years ago. The local continued archaeological activities are essential for providing further information about the earliest inhabitants of the world as well as Florida. In the future, we believe the positive impact on the scientific community, as well as on Florida, Vero Beach and the region, will be profound.

This archeological site has been found eligible as a national historic site. The site will also most likely be considered as a potential World Site as a bone etched with a mammoth found near this site and was authenticated to be over 12,000 years old demonstrating that humans and animals coexisted in Florida during prehistoric times. The art has been declared by top anthropologists as the “oldest, most spectacular and rare work in the America’s.”

Other archeological findings have been made at additional sites along the FEC tracks going northward from the Merceyhurst site at the Main Relif Canal through Gifford (“Gifford Bones” site) and into Sebastian.

Plans for this AAF project have not been developed to a point where our community can comment. As a result, we do not know what impacts there will be on specific archeological sites. For instance, there has been no bridge plan for the area at the location of the Old Vero Ice Age Site.

- The “Gifford Bones” site is not addressed or identified. Therefore no mitigation is issued. Should be included in the report.
- Impacts and the mitigation of impacts from All Aboard Florida on these areas is not addressed but instead completely overlooked or ignored. Site identification, impacts of All Aboard Florida laying added tracks and the additional vibration and mitigation of same needs to be noted in the final report.
- Other sites along the track ridge are known. How will these important sites be accessed for archeological study?
- Sites along the canals and the bridges are at most risk. How will these be handled during Phase 2?
- How do we make further comments about this if the bridge plans for the location of this archeological site are not complete and available to the public?
- How will information about the archeological sites in Indian River County be included in the EIS?

COMMENTS

4.4.5.1 Methodology

Page 4-124

Consultation

This page recounts meetings between AAF and SHPO. It appears there were several determinations established:

- March 28, 2013 SHPO meets with AAF and determines that the need to coordinate with historic preservation planning representatives for the West Palm Beach to Orlando phase of the project “was not warranted.”
- DEIS states that five public “scoping” meetings were held and that those meetings “provided adequate opportunity for consultation.”
- “SHPO determined that no additional separate Section 106 meetings were necessary.”
- Evidently “scoping” meetings were held in other counties but not in Indian River County. And, in Indian River County there were no public notices for “scoping” meetings outside our county.
- Appears the only archeological site identified in the DEIS in the way of the Project is located in Hobe Sound National Wildlife Refuge.
- We learned that Janus research contacted five CLGs and local informants. NONE in Indian River County. We understand these “determinations” went on before the DEIS was released.

Response: Indian River County was completely ignored in this part of the process. Local representation was totally dismissed without further consideration or notification to local representatives. There were no “scoping” meetings held and no publicly advertised “scoping” meetings in Indian River County while there were dozens of such public notices in Ft. Lauderdale, Orlando and Miami. This oversight completely undermines this part of the Section 106 (National Historic Preservation Act), Section 4(f) Federal Transportation Act, and the EIS process.

- How will FRA and AAF address and correct this oversight?
- How will Indian River County be included at this point in the overall DEIS process?
- It appears that, at the highest levels, the "standard" NEPA process was somehow mixed with the "integrated" method. To our knowledge, this is the first time this has been done. Why?
- We are very concerned about the lack of outreach to [only] CLGs and [certain] local informants and believe this denigrates the DEIS process and intent of benchmarked historic preservation guidelines.

Section 5: Environmental Consequences **Land Use, Transportation and Navigation**

5.1.1 While the DEIS indicates little or no adverse impacts and states that Indian River County supports efforts for passenger rail,

RESPONSE: It does not indicate the passionate opposition Indian River County Government, Sebastian City Government, Vero Beach Government, and others have for this project which is not simply about “passenger” rail service but also to deliver increased freight services and the impacts of that freight service on the community.

- Indian River County adopted a resolution opposing All Aboard Florida and does not believe the Project fits into the planning for this community.
- Indian River County Chamber of Commerce endorses the County's resolution opposing the project.

On page 5-5 the DEIS states *"The MCO Segment and N-S Corridor under the Action Alternatives would not bisect any privately owned properties..."*

RESPONSE: However, the project will completely bisect the City of Vero Beach, its residents and its medical and business services.

On page 5-6, Table 5.1.2-1 regarding grade crossings refers to the highest volume intersections in Indian River County at Oslo Road and SR 60 east and west. Page 5-12, Table 5.1.2-4 indicates that passenger rail will travel at 106.6 mph through Indian River County which includes these 3 highly traveled intersections/crossing. Page 5-8 mentions that *freight will see an increased length in trains but states that there will be "minor" roadway closures and "minimal" impacts to existing conditions.*

RESPONSE: These statements fight with one another and it is clear there will be significant negative impacts to crossings themselves, delays in traffic due to crossing closures, and significant impacts all of the above will have on our residents, public safety equipment, employees, goods being transported, school bus and Senior Resource GoLine public bus schedules, and visitors traveling east and west in our community.

Although the DEIS is triggered only by the All Aboard Florida passenger rail request for a RIF loan, the DEIS does note that FEC freight traffic (once the FEC line is double-tracked and the Panama Canal is opened) will increase. Vibration levels as indicated in the Table 5.1.2-4 clearly state that current number of freight is 22 per day traveling at 54.2 mph and the proposed passenger will be 32 trains per day (to start) at 106.6 mph.

- The vibration issue should reflect the identification of the additional freight and mitigation measures should be identified.

Senior Resource Association public bus GoLine: Increased rail crossing closures may present an obstacle in adhering to transit schedules.

- Will FEC and All Aboard Florida be required to coordinate with all public and private local fixed route providers in the corridor to minimize these impacts?

48% of Indian River County population is over the age of 50. Increased rail crossing present a concern for this population to be on time for medical appointments. There is an added risk component to rail crossing since the horns will be on a static pole with reduced horn sound. Individuals with decreased hearing abilities and other handicaps will be at a greater risk in an attempted crossing when a train is approaching.

- How will this disability issue be handled by AAF? There is not mention in the DEIS.

Physical Environment

5.2.2 Noise and Vibration

Page 5-39 states there will be “*minor vibration impacts along the N-S Corridor due to the increase (approximately doubling) of vibration events as a result of adding passenger train service to the existing freight operations.*”

RESPONSE: This is not accurate. Existing freight today is 8-10 trains daily. Add to 32 proposed N-S passenger trains totals 40-42 trains daily. Table 5.1.2-4 on page 5-12 shows clearly that by 2019 there will be 22 freight trains daily. That does not even consider the number of trains following the opening of the Panama Canal and even more trains to accommodate the Port of Miami.

- Using the number reflected in Table 5.1.2-4 the total trains daily would be a minimum of 52 trains (not 42 as stated)

Along the Vero Beach section of the tracks, the Indian River County Chamber of Commerce has a new (C.O. 2009) 2-story, \$1.5 million structure used a community visitor center and business center. There are also multiple cultural historic facilities/tracts which include the Old Vero Ice Age Site (*archeological site), the historic Vero Beach Train Station, Heritage center building, and the historic City of Vero Beach electric plant. The argument we have heard is that these structures are already impacted by train traffic. However, today that traffic is 8-10 trains each day not 42 or more which will put additional vibration on these structures.

- How will new and old structures be impacted by the additional vibration from the increased number and length of freight trains as projected in the DEIS document?

As stated above in the 4.4.5 response –

*Archeological Site Significance: The Old Vero Ice Age Site archeological excavation site is immediately adjacent to the FEC tracks on the east side. However, the archeological site itself is east, west and under the existing track bed. Recent excavations have uncovered meaningful artifacts and information from the “Vero Man” Sites that continue to support that people and a large variety of extinct animals were in Vero 12,000 to 14,000 years ago. The local continued archaeological activities are essential for providing further information about the earliest inhabitants of the world as well as Florida. In the future, we believe the positive impact on the scientific community, as well as on Florida, Vero Beach and the region, will be profound.

This archeological site has been found eligible as a national historic site. The site will also most likely be considered as a potential World Site as a

bone etched with a mammoth found near this site and was authenticated to be over 12,000 years old demonstrating that humans and animals coexisted in Florida during prehistoric times. The art has been declared by top anthropologists as the “oldest, most spectacular and rare work in the America’s.”

There are additional documented archeological sites located in the northern, northeastern and mid sections of Indian River County. The DEIS has not dealt at all with any archeological finds in Indian River County. And there have not been contacts made with those in Indian River County who are knowledgeable to comment.

- How will the consultant address the remaining archeologically significant sites within Indian River County and describe mitigation of damages to those sites?
- Other response questions on this topic are named in response above 4.4.5

Natural Environment

5.3.6.2 Environmental Consequences

It is specifically stated that “scrub jay meta-populations were not fully evaluated.”

RESPONSE: Scrub Jays are vulnerable to mortality due to collisions with moving vehicles. This is inadequate for proper review and decision making. Habitat loss, incidental take, and mitigation should also have been discussed.

- Why wasn’t this information fully evaluated?
- It is necessary that the Final EIS and the All Aboard Florida project substantively address Scrub Jay mortality and incidental take due to collisions with train sets in the Final EIS?

The DEIS relies on mitigation banking for wetland impact compensation.

- There are not available mitigation banks in all water management basins, therefore if there are areas of isolated wetland impacts in some areas of the project no mitigation is available as proposed.
- This is inadequate and lacking in information as presented.

5.3.3 Wetlands

Page 5-81-91

This section addresses and identifies wetland governing regulations and discusses the types of impacts. Several instances where it states minor or no impacts.

RESPONSE:

- The consultant needs to address/confirm available appropriate wetland mitigation banks for each wetland type per impact basin individually.

5.4 Social and Economic Environment

Page 5-48 states in the first paragraph that the project will result “in an increase in future noise levels and the potential for noise impacts.”

RESPONSE: It is our opinion that this will result in increased difficulty to maintain and operate businesses efficiently and effectively at or within 100 feet of all crossings/intersections of the railway. The increased noise and vibration will be coupled with additional noises and vibrations from sounds emitted from the wayside horns.

- There are no maps available and no back up provided in the DEIS that demonstrate the amount of land owned by FEC.

About 100 yards from the US 1 Ponce de Leon intersection in Vero Beach are over 150 residents, mostly elderly who will also be inflicted with noise from the wayside horns.

The DEIS further states that “the Project will not displace any businesses (page 5-127)” and that the “Project would have beneficial regional economic impacts from increased economic activity, tax revenues, construction jobs, and associated spending.”

RESPONSE: Economic Impact:

As an example, the pet store (Cindi’s Pet Center) located at 721 US 1, Vero Beach is immediately adjacent to the 7th Street crossing. The shop will most likely need to be relocated or will close due to the increased noise and vibration impacts on fish, reptiles, birds and dogs.

5.4.1 Communities and Demographics, 5.4.1.1 Environmental Cosequences

Page 5-121 of the DEIS states that “*would not result in residential displacement, neighborhood fragmentation or loss of continuity between neighborhoods.*”

RESPONSE: While this statement may be true in 2014, Table 5.1.2-4 clearly shows an increase to the total number of trains to 54 daily in 2019 (4 years from now). This table also shows that the 32 passenger trains are moving through Indian River County at speeds over 106.6mph and freight at 54.2 mph in 2019. Of particular concern are the elderly drivers and those who depend on foot or bicycle to cross over the tracks to get to medical appointments and go to their place of employment.

- The argument that the rail line has already been in place and creates no changes simply is not acceptable when both the number of trains and the speed at which they will travel more than doubles by FEC estimates by 2019. Does not compare apples to apples.

- How will these facts presented in the DEIS (above) not change neighborhood continuity?
- What will be the impact on property values and desirability of neighborhoods near the tracks?

5.4.1.2 Indirect and Secondary Impacts

On page 5-123 the DEIS the writer describes population and transit growth in South Florida. It goes on to state that All Aboard Florida would be an improvement to address roadway congestion and increase the ability to transport people between major South Florida cities.

RESPONSE: This section only addresses issues from West Palm Beach through Miami. Statements made in 5.4.1.2 do not reflect the northern Phase 2 part of the project. While this may be true between Palm Beach and Miami, it is not at all factual for Brevard, Indian River, St. Lucie and Martin Counties. There are no stops in any of these four northern route counties. These four counties are “donor counties” with no immediate or near-future consideration for any benefit but will encounter tremendous loss of mobility, peace and quiet and quality of life with an additional 32-passenger trains and estimated doubling of freight.

5.4.2 Environmental Justice

Page 5-123 it is stated that this section describes the potential effects to minority and low-income populations Page 5-121 of the DEIS states that “*would not result in residential displacement, neighborhood fragmentation or loss of continuity between neighborhoods.*”

RESPONSE: Again, this statement does not hold up and will no longer be factual when an additional 32 passenger trains a day are blowing through Indian River County at speeds of 106.6mph in 2019. (Table 5.1.2-4)

According to the local history book “*Hibiscus City*”, When Henry Flagler built the rail line there was a dispute with the John T. Gifford family over land Flagler wanted for his railroad. To retaliate for the delay of the desired rail extension, Flagler’s surveyors named a small labor camp, an exclusive Negro community, “Gifford.” Today, Gifford remain a largely non-Hispanic black and low-income population (average annual wage \$20,373 2012 U.S. Census) with many struggles. The area has maintained 2 and 3 tracks and is the only area of Indian River County that continues to see long delays from stopped trains.

Within yards of the tracks through Gifford are-

- a number of homes within 50-yards of the tracks,
- nearby schools,
- a medical center,
- and businesses and employment located in close proximity to the railroad tracks.

The additional passenger and freight trains that are anticipated will have an increased negative social impact on this small black community and as stated on page 5-48 of the DEIS in the first paragraph – “this project will result “in an increase in future noise levels and the potential for noise impacts.”

Representatives of the Gifford Progressive Civic League are **very** concerned about the additional trains, both freight and passenger, and the on-going impact this will have on all emergency services to and from their small community. Currently, this area of the county already has more than one track and experiences longer delays and trains stopping than is experienced in other parts of Indian River County.

Neighborhoods within the Gifford community, and for that matter elsewhere in the County, have developed their own “**unofficial crossings.**” A number of school children considered “walkers” cross the tracks to attend school in Gifford.

- How will the DEIS and AAF address these “unofficial neighborhood crossings”?

Children have been fascinated with trains and speed for decades. Starting with “Thomas the Train” **children love trains!** Children within any part of our community have grown accustomed to the speed of the local freight trains. They can judge their “timing” with approaching freight trains moving 35-45 mph. It is a fact that looking down the tracks it is extremely difficult for pedestrians to judge how quickly the passenger rail will approach going speeds 80-100mph and faster.

There is nothing in the DEIS that we can find that describes how AAF will provision for safety in these crossing areas. It is recognized that all areas along the tracks can not be fenced.

- How will AAF accommodate for children and other pedestrians in those “unofficial pedestrian crossing” areas?

In order to comply with the Civil Rights Act of 1964 and the Federal desegregation of schools, school districts are divided by zones. Gifford children are bused (long-runs) to accommodate Federal desegregation regulations and to raise the numbers of African American children attending other neighborhood schools. This causes a disproportionate effect to Gifford students more so than other neighborhoods outside of the Gifford community. Intersections at 45th and 49th Streets are of concern because the children are bused over these intersections twice daily in order to reach their designated out of neighborhood school for Federal compliance reasons.

- What special care will be used by AAF at those intersections to mitigate for the possibility of accidents with school buses?

5.4.3 Economic Conditions

While the DEIS page 5-127 says the Project will not reduce municipal property taxes that is yet to be seen. The DEIS only addresses properties acquired by AAF.

RESPONSE: Florida East Coast and All Aboard Florida are not in the position to determine if property values or property taxes would decrease. Property values are driven by the marketplace which will determine what the private sector will be willing to pay for properties near the tracks and that will have an impact on those privately owned properties.

The DEIS further states that “the Project will not displace any businesses (page 5-127)” and that the “Project would have beneficial regional economic impacts from increased economic activity, tax revenues, construction jobs, and associated spending.”

RESPONSE: This is a broad and generalized statement in which the DEIS consultant is referring to the southern portion Palm Beach to Miami segment of the N-S project corridor.

- This statement does not apply to Martin, St. Lucie or Indian River Counties.

There are no stops, no appreciable economic activity, no tax revenues, no jobs, and no appreciable associated spending that will occur in Indian River County. All increased economic activity and the benefits from such activity will occur from Palm Beach to Miami. And all employment from additional laying of tracks, in all areas of the project are temporary.

The results of a recent survey of our Chamber of Commerce membership shows that-

- 68% of our businesses believe their business operations will be negatively impacted by the Project.
- 59.4% believe that their customers coming to their business will be negatively impacted.
- 60.3% strongly oppose All Aboard Florida

“...freight traffic on the FECR (Florida East Coast Railroad) Corridor is predicted to increase. FECR operated 24 daily trains in 2006 and had projected growth of 5-7% between today and 2016. However, due to delays in the expansion of the Panama Canal and other factors, it is now expected that freight operations will increase from the current number of trains (now 8 to 10 daily) to 20 trains per day by 2016, and at a 3% annual growth after 2016.”

RESPONSE: 71% of business survey respondents say the added 32 passenger train a day will have a negative impact on our country.

Some comments from our business members-

- *“If these statistics are accurate I believe it will increase traffic and wait times for east/west motorists.”*
- *“Rail service is key to the success of any port - you can't move boats on land. So I believe that this really is about increases in freight. They won't run 32 passenger trains a day if only a dozen or so people are on them.”*
- *“Traffic to and from my store will be held up numerous times daily as the trains pass thru Vero.”*
- *“My business property is next to the RR tracks -- Noisy -- distracting -- DANGEROUS to allow 100+ MPH train where 55 MPH is currently the speed limit. 55 MPH is fast enough.”*
- *“Time allowances getting to and from our clients will be negatively affected for all outbound business associates.”*

As stated earlier-

RESPONSE: Economic Impact:

- As an example, the pet store (Cindi's Pet Center) located at 721 US 1, Vero Beach is immediately adjacent to the 7th Street crossing. The shop will most likely need to be relocated or will close due to the increased noise and vibration impacts on fish, reptiles, birds and dogs.

Table 5.4.3-1 Summary of Economic benefits-

Page 5-128 under Action Alternatives A, C, and E states “The Project would increase federal, state, and local government revenues and have other direct economic benefits to local populations.” (References Washington Economics Group)

RESPONSE:

- There are no direct economic benefits to Indian River County.
- The information in this table is inadequate and does not support a “direct economic benefit” at local levels for those counties that do not have a stop or long-term employment relating to the Project.
- We recommend that the consultant provide a similar table showing the DIRECT benefits county by county from “increased economic activity, tax revenues, construction jobs, and associated spending” as stated on page 5-127 of the EIS.

5.4.5 Public Health and Safety

This section addresses removing cars from highways i.e. “fewer vehicle crashes and fewer air emissions” page 5-131.

RESPONSE: Our business community survey respondents reported that-

- 70.1% stated that the Project will create vehicle and pedestrian safety issues
- 63.4% have concerns about emergency services access.
- 39.4% local ability to deal with potential rail accidents.

5.4.5 Cultural Resources

Page 5-137, bottom of page, states *"The Project would have no direct or indirect effects (noise, vibration, change in setting) to the historic resources located adjacent to the N-S Corridor. It further states, page 5-138, that "All cultural resource investigations were conducted in accordance with Section 106 of the NHPA and its implementing regulations for protection of Historic Properties (36CFR part 800)." And ends with "The methodology for the balance of the N-S Corridor was consistent with that used in the 2012 EA."*

Response:

- The above referenced paragraph describes how the MCO segment and the E-W Corridor was addressed by SHPA in consultation with FRA. It refers to the EA which was done for Phase 1 West Palm Beach to Miami not Phase 2 Martin County through Brevard County.
- This is inadequate as Pahe 1 and Phase 2 are not equal comparisons but very dissimilar.

In Indian River County there are the Old Vero Ice Age Site and other archeological sites as already reported. Historic sites including the Holstrom property (house and barns), and others.

- Halstrom property (house and barns) on National Register of Historic Places
- No one from Indian River County was consulted for information.
- In the "North-South Corridor" info, no mention of sites in Indian River County.
- Appears all communication was with SHPO.
 - Why was no one contacted in this part of Pahe 2? On page 5-141 it notes Phase 1 of the project from Miami to West Palm Beach.
- Hobe Sound and Fort Capron mentioned but no sites in Indian River County.
- This section is incomplete and inadequate.

Not acknowledged or discussed in the DEIS:

- Old Town Sebastian Historic District East*
 - on National Register of Historical Places (2003).
- Old Town Sebastian Historic District West*:
 - on National Register of Historical Places (2004)
- Why were impacts of vibration, noise, safety, and viewsheds not included in DEIS?

Section 6: 4(f) Evaluation

6.4.2 St. Sebastian River Bridge The applicant indicated the Sebastian River Bridge Table 1-1 is located in Brevard County.

RESPONSE: The bridge is also partially located in Indian River County and will have environmental impacts in Indian River County.

- Demolition and construction impacts should be addressed.

A shell midden site is reported in or adjacent to this bridgehead.

- How will AAF work in and around this archeological site?

This bridge is determined eligible for NRHP by SHPO

6.4.1.4 Measures to Minimize Harm and Mitigate Impacts

This section discusses AAF will conduct historic research, prepare an Historic American Buildings Survey, Historic American Engineering Record and consult with SHPO prior to demolition.

RESPONSE: The St. Sebastian River is a tributary of the Indian River Lagoon. The Indian River Lagoon has for the last several years been the issue of highest importance to all the N-S corridor counties from Brevard through Martin County. Any construction of new bridges to replace the existing historic structures will cause unintended negative ecological impact to the San Sebastian waterway and its habitat for fish and other wildlife in the vicinity. Therefore, will have negative impact on the Indian River Lagoon.

For the sake of those in our communities who are concerned about environmental impacts that will include negative impacts on our eco-tourism, this section of the EIS should include a detailed description of how AAF will mitigate environmental damages to the river bottom, fish and wildlife habitats in and around the bridge location and how mitigation and minimization of harm will be handled during all phases of bridge construction.

Areas of the EIS rely on mitigation banking for wetland impact compensation. There are not available mitigation banks in all water management basins. For instance, the eastern part of Indian River County is in Basin 22 St. Johns River Water Management District and has no freshwater wetland mitigation bank currently operating. There is not a currently authorized Basin 22 mitigation bank, and so there are no mitigation credits available to offset impacts to freshwater wetlands within this basin.

If there are areas of isolated wetland impacts in some areas of the project no mitigation is available as proposed. This is inadequate as presented.

See map inserted below:



Basin22 .pdf

This section of the report should reflect that it can reasonably be expected that adverse impacts to manatees will result from St. Sebastian River bridge demolition/construction, as well as the increased frequency and speed of proposed AAF rail traffic. The C-54 canal (historic West Prong of the St. Sebastian River) is a major warm water aggregation area for manatees; thus, the bridge site is in an area of high manatee use. The DEIS states that during demolition and construction of the St Sebastian Bridge, siltation barriers will be used around the construction site that would not impair manatee movement.

- Additional mitigation and caution may be required to allow the manatees to access warmer water in the event of cold weather.
- An aerial overlay should be provided onto the Track Chart 3.3-B4
- When asked at the public meeting held in Indian River County “how will mitigation be described in the final EIS?, the consultant at that station indicated “all of this will be addressed in the project permitting process.” That means he expects this to bypass the EIS and go straight to permitting further demonstrating that the public meeting was no more than an FRA dog and pony show. This should be addressed in the EIS.

Demolition and Construction Noise: When source levels are greater than the thresholds, there are impacts to the organisms. That can be calculated and should demonstrate the distances to which those effects may extend.

- How will noise vibrations via water be addressed and mitigated for in regard to damages to habitat and breeding of species of fish and breeding within this waterway?
- What are the statistics of the level of noise and vibration carried from the bridge construction areas in the St. Sebastian River into the Indian River Lagoon?
- How will AAF research and accommodate for cumulative sound exposure from pile driving noise and vibration during the construction of the new bridge?
- How will AAF determine if noise from the installation of piles has the potential to negatively effect fish, turtles, and manatee?
- How will these source levels be compared to known thresholds?
- How far will the harmful noise and vibration travel before attenuating below threshold values?
- Please gather information and explain in the EIS: How will rust from the demolition will be mitigated?

Section 7: Mitigation Measures and Project Commitments

7.2 Project Commitments

7.2.11.1 West Indian Manatee Mitigation Measures

RESPONSE: This section of the report should reflect that it can reasonably be expected that adverse impacts to manatees will result from St. Sebastian River bridge demolition/construction, as well as the

increased frequency and speed of proposed AAF rail traffic. The C-54 canal (historic West Prong of the St. Sebastian River) is a major warm water aggregation area for manatees; thus, the bridge site is in an area of high manatee use. The DEIS states that during demolition and construction of the St Sebastian Bridge, siltation barriers will be used around the construction site that would not impair manatee movement.

- What additional mitigation and caution will be utilized to allow the manatees to access warmer water in the event of cold weather?
- How will the manatees be protected from rust and other debris that may come from the demolition of the existing bridge structure?

Map clearly shows Manatee Viewing Area -



From: [Falls, Monte](#)
To: [Nichols, Nancy](#)
Subject: FW: TIC response to FRA DEIS
Date: Wednesday, November 26, 2014 2:27:09 PM
Attachments: [TIC draft to DEIS.docx](#)

From: sisustarfish@aol.com [mailto:sisustarfish@aol.com]
Sent: Wednesday, November 26, 2014 1:37 PM
To: graves.amelia@gmail.com
Cc: Vonada, Joyce; Falls, Monte
Subject: TIC response to FRA DEIS

November 26, 2014

Federal Railroad Administration
1200 New Jersey Avenue
SE Room W38-311
Washington, DC 20590

Attn: John Winkle

Dear Mr. Winkle:

The Indian River Neighborhood Association is a non-profit, non-partisan organization dedicated to quality of life matters throughout our County.

Earlier this year we brought together organizations and local governments experiencing significant concerns about impacts from All Aboard Florida which represents the establishment of high speed passenger and expanded freight rail services proposed to run through our County without stopping.

We formed the Train Impact Coalition (TIC) and for your information a list of participants is included below. Our singular purpose was to protect our communities from any potentially negative impacts by All Aboard Florida. Our intent was to do so by inserting our concerns, as allowed by law, into the federal process which would release the Draft Environmental Impact Statement (DEIS).

The DEIS has now been released. We have studied it and find it very deficient identifying impacts to our communities. All our comments are presented in the attachment.

Thank you for your consideration of these comments. We look forward to your response addressing our concerns. Please do not hesitate to contact me for any additional information.

Sincerely,

Honey Minuse, Chair Executive Committee,
Indian River Neighborhood Association
27 Starfish Drive
Vero Beach, Florida 32960

cc: Army Corps of Engineers

The following is a list of participants in the Train Impact Coalition (TIC), Indian River County Florida:

Penny Chandler, Indian River County Chamber of Commerce
Beth Mitchell, Sebastian Chamber of Commerce
Gifford Progressive League, Joe Idlette III
Ruth Stanbridge, Indian River County Historical Society
Vicky Gould, Main Street Vero Beach
Randy Old, Vero Man Ice Age Site
Sandra Rawls, Vero Man Ice Age Site
Bill Aufiero, Vero Man Ice Age Site
Rebecca Rickey, Heritage Center
Nick Schaus, Barrier Island liaison (IRNA)
Robert Schaedel, Architect
Judy and Jim Gallagher, Sebastian Property Owners Association
Carol Barry, Sebastian liaison (IRNA)
David Hunter, Barrier Island liaison (IRNA)
Mary Kiernan, Sebastian liaison (IRNA)
Karen Disney-Brombach, Indian River County School Board elected official
Jane Schnee, Friends of St. Sebastian River
Tom Gruber, Engineer
Buzz Herrmann, Friends of St. Sebastian River
Jeff Luther, Indian River County Sheriff's Department
Barbara Hoffman, Cultural Council
Sam Zimmerman, Indian River County Planning and Zoning Commission Chair
Bill Cannon, Canaveral Groves
John Debus, Treasure Coast Progressive Alliance
Sue Olson, Micco Homeowners Association
Chelle Woods, Micco Homeowners Association
Jan Black, Micco Homeowners Association
Andrea Coy, Sebastian, City Council Member
Joe Griffin, Sebastian City Manager
Frank Watanabe, City of Sebastian
Cynthia Watson, City of Sebastian
Peter O'Bryan, Indian River County, County Commissioner

Dylan Reingold, Indian River County, County Attorney
Kate Cotner, Indian River County, Assistant County Attorney
Amelia Graves, Vero Beach, City Council Member
Jim O'Connor, Vero Beach City Manager
Monte Falls, City of Vero Beach
Dan Dexter, City of Vero Beach
Dan Lamson, Executive Director, Indian River Neighborhood Association
Honey Minuse, Indian River Neighborhood Association

RESPONSE TO DRAFT ENVIRONMENTAL IMPACT STATEMENT

ALL ABOARD FLORIDA- Intercity Passenger Rail Project

INDIAN RIVER COUNTY TRAIN IMPACT COALITION

Author Honey Minuse, Indian River Neighborhood Association

November 26, 2014

~~~~~

## MISSING APPENDICES

To fully understand the design and impact upon Indian River County and to provide an accurate response to the Draft Environmental Impact Statement the following missing 34 appendices are required:

| Appendix No.     | Description                                          |
|------------------|------------------------------------------------------|
| Appendix 1.1-A 1 | FONSI                                                |
| Appendix 1.1-A2  | FONSI Exhibits                                       |
| Appendix 3.3-A   | Fort Lauderdale Re-Evaluation Documents              |
| Appendix 3.3-B   | Alternative A Track Plans                            |
| Appendix 3.3-C   | Grade Crossing Details                               |
| Appendix 3.3-D   | Alternative C, E-W Corridor OOCEA Portion PlanSet    |
| Appendix 3.3-E   | Alternative E, E-W Corridor OOCEA Portion PlanSet    |
| Appendix 3.3-F   | Ridership and Revenue Study Summary                  |
| Appendix 4.1.1-A | Existing Land Use Maps                               |
| Appendix 4.1.3-A | USCG Cooperating Agency Acceptance                   |
| Appendix 4.1.3-B | USCG Jurisdictional Determination                    |
| Appendix 4.1.3-C | Navigation Discipline Report                         |
| Appendix 4.2.4-A | Potentially Contaminated Sites Aerial Photographs    |
| Appendix 4.3.1-A | USCG Coordination Meeting Notes, August 12, 2013     |
| Appendix 4.3.3-A | Characteristic Plant Species                         |
| Appendix 4.3.5-A | EFH Assessment                                       |
| Appendix 4.3.6-A | Rare Species Survey Reports                          |
| Appendix 4.3.6-B | Rare Species Consultation Areas                      |
| Appendix 4.4.2-A | Minority Populations                                 |
| Appendix 4.4.2-B | Poverty Populations                                  |
| Appendix 4.4.5-A | SHPO Consultation Materials                          |
| Appendix 4.4.5-B | Cultural Resources Proximate to the Project Corridor |
| Appendix 4.4.6-A | Recreation Resources                                 |
| Appendix 5.2.2-A | Noise and Vibration Contours                         |
| Appendix 5.2.2-B | Noise Impact Tables                                  |
| Appendix 5.2.2-C | Vibration Impact Tables                              |
| Appendix 5.2.3-A | Farmland Soils, Completed NRCS Forms                 |
| Appendix 5.2.4-A | Risk Evaluation Summary Table                        |
| Appendix 5.3.1-A | Bridge Crossing Maps                                 |
| Appendix 5.3.4-A | Floodplain Impacts                                   |
| Appendix 5.3.6-A | Section 7 Meeting Notes                              |
| Appendix 5.3.6-B | Section 7 Consultation Materials                     |
| Appendix 8.1-A   | NOI                                                  |
| Appendix 8.1-B   | Scoping Report                                       |



## Pages 5-39 FREIGHT

On pages 5-39 and thereafter, the Draft EIS makes references to expanded freight traffic with little to no explanation. A clarification is requested.

To be credible the DEIS should include estimates for projected speed, length, and crossings per day and per hour for rail lines shared by passenger service and freight transport, including both full and partial capacity. Any assumptions should disclose the methodology and reasoning underlying the estimates.

### 1.2.3 N-S CORRIDOR

No public official record exists of FECR land ownership, specifically what land is owned immediately contiguous or adjacent to the existing track.

Without this knowledge there is no way to accurately respond to potential impacts using established parameters and mathematical models. This information and the final double track design throughout Indian River County is necessary in order to respond to measureable impacts on adjacent properties.

Upon release of such information the process must allow public comment time.

### 1.3, 1.4, 1.5, 1.6 COOPERATING AGENCY

The FRA failed to cooperate with all local governments to gather information.

The Council on Environmental Quality Regulation requires NEPA analysis and documentation "in cooperation with State and local governments" having jurisdiction by law or special expertise.

When individual applications were made by the local governments of Vero Beach, Sebastian and Indian River County for "Cooperating Agency" status they were all denied. This resulted in an absence of local knowledge in the DEIS.

## 8.1 SCOPING

No Scoping meetings were held nor advertised in Indian River County and there is no record any effort was made to identify, nor grant status to, any organization in Indian River County for either jurisdictional authority or special expertise.

This omission excludes correctly identifying, analyzing and mitigating adverse impacts to the natural and human environments in Indian River County and compromises the NEPA process.

#### 4 AFFECTED ENVIRONMENT and 5 ENVIRONMENTAL CONSEQUENCES

##### St. Sebastian River and Bridge

The Army Corps of Engineers fails to identify the southern leg of the St. Sebastian River Bridge in Indian River County. The entire Bridge is stated to be due for demolition and replaced with 2 new single-track bridges.

This Bridge crosses over the St. Sebastian River which flows entirely into Indian River County making its way into the St. Sebastian River State Park. The North Sebastian Conservation Area is immediately south.

These are all environmentally sensitive waters and adjacent lands, home to endangered and protected species of flora and fauna and ecologically important wetlands. The waters from the Indian River Lagoon flow into this waterway.

These sections also neglect study of climate change-sea level rise on this waterway and bridge and no identification of impacts due to demolition and construction.

The DEIS fails to include a proper analysis of the St. Sebastian Bridge, the underlying waterway or the endangered species. Due to this omission, it is requested that the FRA issue a supplemental EIS on the referenced issues.

##### 4.4.1, 4.4.2, 5.4.1, 5.4.2 ENVIRONMENTAL JUSTICE

The DEIS fails to address the fact the current railroad tracks run through the minority community of Gifford which existed well before the tracks were placed.

Local knowledge states there are adults walking and bicycling across the tracks going to and from work. There are parents with children walking across the tracks going to and from school and the stores. And local knowledge reveals a history of adverse events due to crossing closures when critically ill individuals were unable to be transported by members of their community for acute medical care on the other side of the tracks. Local knowledge will also identify a well in near proximity to the tracks and which is used by local residents to draw drinking water.

Federal de-segregation rules apply. The School District advises additional crossing closures will require disproportionately longer bus routes for Gifford students.

The DEIS contains no local knowledge. Such knowledge should be identified and incorporated into a supplemental DEIS to comprehensively identify and analyze impacts from the addition of high speed passenger rail and expanded freight service. There must also be consideration of alternatives and long-term benefits.

#### 4.1,4.2, 4.4, 5.1, 5.2, 5.4 SOCIO-ECONOMIC CONDITIONS

As proposed, there are no planned stops in Indian River County and high speed passenger and expanded freight service will be maintained along the length of the tracks from the northern to the southern borders. These trains will cut through or travel adjacent to specific land uses which include but are not limited to residential, retail, commercial, historic and medical zonings.

The DEIS fails to identify and analyze impacts such as noise, vibration, vehicular travel interruption and construction with respect to such areas and their property values, real estate taxes, business vitality and employment factors.

No benefit to Indian River County has been identified, no alternatives are considered. To be credible the DEIS must identify and analyze such impacts and include consideration of alternatives and benefits.

#### 5.4.1 COMMUNITIES

There is scant mention of the N-S Corridor in Indian River County and no acknowledgement of the various communities adjacent to the current rail tracks.

Residential areas and facilities such as medical centers and retail businesses are in close proximity and often separated by the current rail tracks. The DEIS completely ignores identification of potential disrupters or fragmentation in these areas due to the addition of high speed passenger and expanded freight rail services.

Maintaining the integrity of such areas needs identification and analysis with specific attention to the fact there will be more impact with more rail services. The DEIS lacks such study.

A credible analysis should include alternative considerations and long term benefit.

#### 5.4.4 PUBLIC HEALTH AND SAFETY

The DEIS is deficient identifying threats to the local communities.

There is no record of accidents to include the transport of hazardous and nuclear materials, no history of crossing incidents, no statement of pedestrian incidents and no log of variable crossing closures with incident.

There is no analysis of the ability of Law Enforcement, Emergency Management and Fire-Rescue to respond to critical situations.

The foregoing should be documented and analyzed to provide a remedy to eliminate any threat to the public well-being and the DEIS should incorporate this information.

#### 5.4.5 CULTURAL AND HISTORIC RESOURCES

Significant historical sites in Indian River County lack any mention in the DEIS. Such sites are immediately within the rail corridor and document 13,000 years of human presence in the area. Examples are the Vero Man Ice Age and the Gifford Bones Sites.

The DEIS also neglects to mention the Sebastian District which lists many historical sites and the historic Vero Beach Crestlawn Cemetery, all adjacent to the rail tracks. They are among the many local sites alongside the existing tracks which are listed or potentially eligible in the National Register. Additionally, the Vero Man Ice Age Site may soon be considered a World Site.

Impacts such as noise and vibration must be considered and analyzed before any additional rail service is contemplated. Refer Section 106 NHPA, Section 4.f FDTA

Parks and Recreation Resources exist throughout Vero Beach, Sebastian and the County with some immediately in the rail corridor.

The DEIS must identify these historic and cultural resources. There must be appropriate action to assure they will not be negatively impacted with the expansion of rail services.

~~~~~

In summary, the DEIS fails to identify impacts to the natural and human environments in Indian River County.

By doing so the document is prevented from addressing analysis of alternative projects with consideration of beneficial outcomes.

The DEIS must be supplemented, as referenced in the foregoing commentary, in order to present a comprehensive analysis in accordance with NEPA guidelines.

MEMORANDUM and LETTER REPORT

Date: November 29, 2014

From: Ruth Stanbridge, Research Historian

Re: **Draft Environmental Impact Statement - All Aboard Florida Project.**

Thank you for the opportunity to comment on this Proposed Project. The following is submitted and specifically directed to the Consultation and Cultural Resources of the above DEIS as it relates to the National Historic Preservation Act (NHPA) Section 106 and Federal Department of Transportation Act (FDTA) Section 4 (f).

COMMENTS

From the beginning, the citizens of Indian River County and other Treasure Coast Counties were assured by both the Federal Rail Administration (FRA) and All Aboard Florida (AAF) that all concerns would be answered and the Draft Environmental Statement (DEIS), when released, would be **complete** and **credible**.

After reviewing this DEIS over the past few weeks, the determination has to be made that this document is **not complete** and **far from credible**. It is solely lacking in the most basic information and details, especially in the identification and discussion of the cultural resources of Indian River County.

The **DEIS Summary** is the first indication that there has been no consideration given to cultural resources of Indian River County. There are no acknowledgements of the significance cultural resources or historic districts that are located in *or immediately adjacent* to the FECR Railway Historic District. There was no text, table, or report in the DEIS to note that a true cultural resource assessment has been done for APE of the N-S Corridor. There is, however, a bold statement on **page S-18** that says that "The Project would have no direct or indirect effect (noise, vibration, and change in setting) in the historic resources located adjacent to the N-S Corridor." That statement is ridiculous!

A proper survey and discussion of cultural resources (including archaeological sites) cannot be found in the **Affected Environment (Chapter 4)**, or **Environmental Consequences (Chapter 5)**, and is totally missing from **Chapter 7 (Mitigation and Project Commitments)**. That is unacceptable!

Because these resources have not been identified or acknowledged in the DEIS, is it presumed that there are no "environmental consequences"? This DEIS is flawed. It has created confusion and bewilderment not only for the public but for the local governments and cities trying to review the document. Again, this DEIS is unacceptable and a failure of the FRA and their consultants who were tasked to write a **complete** and **credible** document.

As early as **July 2013**, FRA was being assured by AAF and their consultants that SHPO **“was comfortable that AAF has properly consulted with them and that, at this point, [there are] “no adverse effects” to cultural resources from this project.”** [8 July 2013 letter - 4.4 .5 A2]. Again, this was another bold statement made more than two months before the release of the DEIS and months away from the end of the commenting period.

FAILURE TO COMMUNICATE:

- (1) In the letters of March 28, 2013 [4.4.5 A1] and July 8, 2013 [4.4.5 A2] FRA determined “that the coordination with local preservation planning representatives used in Phase I was **“not warranted in Phase II”** and that **“coordination with local entities was not required ...”**
- (2) Also, FRA agreed **“not to use the ‘substitution approach’ to streamline the NEPA and NHPA Section 106 consultation process”** which meant that the “standard Section 106” method would be used - 8 July 2013 letter [4.4.5 A2]
- (3) In these same pre-DEIS meetings, the determination was also made and concurred with at the highest level that coordination with local planning representatives was **“not warranted”** (see page 4-124).

These pre-DEIS letters between FRA, AAF, and SHPO were summarized in the DEIS paragraph on **page 4-124** and became part of the document. They also set the stage for what happened in Indian River County and other local governments.

No contacts were made with local government (cities or county), historical or heritage organizations or individuals in regard to information or input on cultural resources. No scoping meeting was held in the County. The City of Vero Beach and the City of Sebastian both located along the APE of the N-S Corridor were not contacted. Neither the Indian River County Historical Society nor the Sebastian River Historical Society was asked for information on cultural resources. The planning staff of two Cities and those of Indian River County were never called. Even the County Historian (duly appointed by the Indian River Board of County Commissioners) and who has worked closely with the Department of State, Bureau of Historical Preservation, for over thirty years was never asked for information.

SHPO, when contacted on October 15, 2014 by email about these pre-DEIS determinations, responded that “An agency official may use the process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with section 106 in lieu of the [standard 106 process] if the agency official has notified in advance the SHPO/THPO and the [Advisory] Council that it intends to do so”.

Whatever method was used - the “standard Section 106 process” method or the streamlined and flexible “substitution” approach – local public participation and involvement is guaranteed, but FRA’s determinations in the early pre-DEIS meetings compromised this coordination and consultation.

- (4) **Table 4.4.5.2 (page 4-125)** – This Table explains that 4 Certified Local Governments (CLG), 1 urban planner, and 1 archaeologist were contacted.

The Orlando-WPB Corridor is well over two hundred miles long and runs through 6 counties with a dozen or so large and small local city governments, at least another dozen or so planners with each city and county, many local historical societies, preservationists, and knowledgeable local people, yet only 6 contacts were made with only 3 responses?

A Certified Local Government cannot be a substitute for “local government”, consulting parties, consulting agencies or local preservationists in regards to Section 106. The urban planner in the St. Lucie County cannot be substituted for the urban planner in Indian River County. **FAILURE TO COMMUNICATE!**

FAILURE TO ACKNOWLEDGE CULTURAL RESOURCES:

- (1) In **Section 4.4.5 Cultural Resources**: Most of the historical properties and archaeological sites in Indian River County located *in or immediately adjacent* to the APE of the railway corridor were not acknowledged, surveyed, or discussed in this DEIS. These resources were omitted or simply dismissed from the Section. Therefore, no analysis could take place.

The entire Section (**pages 4-120-132**) was alarming, no detail discussion of historical buildings and structures appeared and no cultural resource assessment report was included. The most shocking was that no recognition was given to two National Register Historical Districts in the City of Sebastian that are located *in or immediately adjacent* and on either side of the FECR Linear Historic District. Not only are these National Register Districts *in or immediately adjacent* to the APE of the N-S Corridor there are over 40 buildings or structures within their boundaries with many of them in the APE and several are individual properties potentially eligible or already listed on the National Register.

Throughout the length of the county *in or immediately adjacent* to the APE of the N-S Corridor, there are a number of other single historic properties potentially eligible or already listed on the National Register. These were not acknowledged in any way. They would fall under Section 106 (NHPA) and will have impacts from noise, vibration, and safety issues, yet they are not listed or discussed in the entire document.

The “three architectural/historical resources” mentioned on **page 4-129** of the DEIS are only identified in the Tables that follow this statement. The railroad corridor, the bridge, and a railroad platform are slated for reconstruction activities or demolition. No other cultural resources were listed or acknowledged in the text or Tables with the text.

In the separate **Appendix 4.4.5-B3** which shows the “proximate” of cultural resources in relationship to the N-S Corridor APE, there are some resources identified only by their FMSF#s identification. There is no refer, no discussion, or other acknowledgement of these resources in the DEIS text. Again, there is no Cultural Resources Assessment Report (CRAC) or Table attached to this DEIS.

The DEIS also failed to acknowledge or identify several very important archaeological sites located *in or immediately adjacent* and within the N-S Corridor. These sites are of major significance and have national implications and, even, international importance - unforgiveable! **Another failure of this DEIS.**

- (2) **Archaeological Resources (4-131)** – Under this portion of the DEIS only one archaeological site in Indian River County is reported *in or immediately adjacent* to the APE of the N-S Corridor. This one site is a shell midden not evaluated by SHPO while several more archaeological sites in the Corridor were Ignored and/or dismissed.

One of those missed is a site *in or immediately adjacent* to the bridge landing of the St. Sebastian River Bridge (FMSF#8BR3062/8IR1569) near Roseland. This is the St. Sebastian Bridge that will be demolished as part of this

Proposed Project. Again, this site listed on the Florida Master Site File was not acknowledged, surveyed, or investigated.

Two sites with major potential were also ignored or dismissed. Neither the Vero Man site (FMSF#8IR09) nor the Gifford Bones site (FMSF#8IR07 and FMSF#8IR08) were mentioned. Both are potentially eligible for National Register status.

The Vero Man site has gained both National and International attention. In fact, the excavation at the Vero Man Site is now going into its second season. The State Historic Preservation Office (SHPO) is well aware of the potential of this site. **Again, this is a total failure of the DEIS in not properly addressing cultural resources along the N-S Corridor and not actively coordinating with local government and local people!**

FAILURE TO ACKNOWLEDGE IMPACTS TO CULTURAL RESOURCES:

In Section 4.2.2 and Section 5.2.2, impacts to cultural resources are discussed. Unfortunately, this DEIS has not recognized or acknowledged these resources (including the archaeological sites) and therefore, discussion of the “environmental consequences” and impacts has been limited. Vibration, noise, and safety issues are major concerns.

- (1) **Table 4.2.2-1** separates noise-sensitive land uses into Categories. Category I lists National Historic Landmarks as one of the “significant outdoor uses”.

In Indian River County there are two National Register Historic Districts and a number of single historic properties listed on the National Register or potentially eligible that falls within this Category. These are *in or immediately adjacent* to the APE of the N-S Corridor, but, again, they were not identified, acknowledged, or discussed in the text or anywhere in the DEIS document. **They would fall under Section 106 (NHPA) and there will be environmental consequences from noise, vibration, and safety issues.**

Located in Pocahontas Park (**page 4-141**) are two historic buildings which are considered community centers (one is on the National Register and another potentially eligible). The Park is listed in **Table 4.4.6-2** and is considered under **Section 4 (f) and Section 6 (f)**. The historic buildings are not acknowledged in the Table as part of the Park. **In fact, their existence is not acknowledged anywhere in the text - only as a FMSF# on Map 45 [4.4.5-B3].**

These community centers and Pocahontas Park host hundreds and hundreds of people per day, yet the DEIS failed to discuss or acknowledge these buildings and their uses. In fact, the Park, itself, was misidentified as being owned and managed by Indian River County, but Pocahontas Park is a city park in Vero Beach and has been since 1913. **Impacts from noise, vibration, and safety issues are major concerns.**

A historic farmstead consisting of a house museum (listed on the National Register), barns, and a future as an educational center was totally dismissed. There is no mention made of this property in the document. This Farmstead would be considered under Section 4(f) and is a unique property with over 100-acres of conservation and preservation land including several rare and endangered species onsite. Its eastern boundary is located *in or immediately adjacent* to the APE of the N-S Corridor. **Again, this entire historic farmstead with barns was omitted from discussion as well as impacts from noise, vibration, and safety issues.**

- (2) The FRA did determine that the N-S Corridor would result in “**long-term noise and vibration with adverse impacts to residents and properties**”. (page 5-39)
- (3) They also determined that “**the ground-borne vibration already exceeds the criteria**” (page 5-51). The N-S Corridor is consider a “**heavily used rail corridor**” (more than 12 trains per day) with additional impacts if the trains double (FRA 2012a).

Again, vibration, noise, and public safety are major concerns to all the cultural resources *in or immediately adjacent* to the APE of the N-S Corridor. Since these cultural resources were not acknowledged, recorded, and are missing from the DEIS records and since public involvement was non-existence, no adverse impacts were discussed or recorded.

With the only plans – the 30% plans – available, there was inadequate information to review in regards to impacts. Sixty percent (60%) plans were requested but NOT provided while the ninety percent (90%) plans will not be available until weeks after the DEIS deadline for comments has passed. Plans at 60% are considered standard in any construction project, but for reasons unknown, the FRA and AAF determined that those plans were not necessary for this DEIS. **Failure to acknowledge impacts!**

There are no way local governments, owners of these properties, preservationists, and the general public will have to accurately address impacts to these resources without information, data, and plans! **Failure to acknowledge impacts!**

SUMMARY

This “reconstruction” proposal by AAF will add “new” modern infrastructure, additional high speed passenger trains, and increased freight. Impacts of vibration and noise to cultural resources were **NOT** addressed in this DEIS. Safety issues in and around these cultural resources were **NOT** discussed. This DEIS simply did **NOT** acknowledge or recognized these resources and so they presumed they must **NOT** exist as far as “consequences” from this Proposed Project. (See Cultural Resources, pages 4-120-132 and Table 4.2.2-1- Noise and Vibration – page 4-35)

But these cultural resources **do exist** and will be impacted not only by the current Proposed Project, but any future increase in rail freight. This freight issue may rapidly increase “if and when” the passenger service proves to be a financial burden. The practical use of this “new” modern infrastructure would then be to return to a freight corridor. History has a way of repeating itself and in 1968 - passenger service was discontinued on the FEC Railway and freight increased - so it could happen again!

What recourse will the public have to address impacts from increased freight when the passenger service decreases or is discontinued? The FRA must find language to add to any final document that will allow the issue of substantially increased in freight service to be re-visited and re-evaluated.

CONCLUSION

All Aboard Florida representatives have promoted this Proposed Project to the public as a “restoration”. This term was actually used by one of the agencies, but this is not a restoration. A “restoration” would “restore” passenger service with the trains moving at a slower rate of speed with the original stops “restored” along the way. Again, this is not a “restoration” this is a “reconstruction” with modern tracks, new and upgraded bridges, and NO stops at small and restored railroad stations.

Whether it is a restoration or reconstruction, there are many local citizens, organizations, and governments along this Corridor that are highly displeased and very disappointed with the Federal Rail Administration and how this DEIS was handled. There is also amazement that an Agency with the reputation of the FRA would allow an Environmental Impact Statement, so poorly done, to be released, even, as a "Draft" document.

This DEIS does not represent the goals and objectives of Section 106 and Section 4 (f) nor does it adhere to the criteria that the Federal Rail Administration or any other Federal government agency must have to move forward a Proposed Project of this scope.

The deficiencies in this document are just too much to overcome in an amendment, or, even, in a supplement. By rejecting this DEIS, as it is written, there will be an opportunity to move forward with a "new" document and a realistic timeframe that follows the proper and official guidelines. This will guarantee local governments and the public their right to participate from the beginning and not be "allowed" in at the end!

FAILURE TO COMMUNICATE

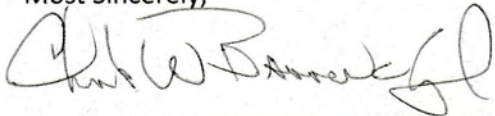
FAILURE TO ACKNOWLEDGE CULTURAL RESOURCES

FAILURE TO ACKNOWLEDGE IMPACTS

There are inadequate data on the potential for wildlife mortality associated with the increase in train speeds, and traffic. Simply identifying the presence of a species does not protect that species and the EIS does little to address protection or preservation.

I urge you to consider convening a team of independent experts who will properly address and assess the impacts to our native environs and wildlife before this project is allowed to move forward. As an ecologist with over 30 years of experience in South Florida I will gladly volunteer my time to this cause.

Most Sincerely,

A handwritten signature in black ink, appearing to read "Charles W. Barrowclough". The signature is fluid and cursive, with a large initial "C" and "W".

Charles W. Barrowclough, Executive Director
Treasured Lands Foundation
P.O. Box 2596
Stuart, FL 34995



December 01, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-311
Washington, DC 20590.

Re: AAF Environmental Impact Statement

Dear Mr. Winkler:

I'm writing to specifically comment on habitat impacts and wildlife impacts of the Draft AAF Environmental Impact Statement (EIS). The EIS is rather incomplete in its identification of both plant and animal species that are associated with the project area and in many cases, is limited to, and identified as, desktop review. The values of local knowledge and field verification have been completely dismissed. The EIS is nothing more than a compilation of agency data and cursory review. A project of this magnitude deserves the devotion of time and resources to allow for adequate review of potential impacts.

Additional concerns lay in the lack of attention to the true impacts on native habitats and wildlife. Little attention is paid to fragmentation of habitats, wildlife corridors, or disruption of critical flyways. The proposed project travels through numerous preserves, parks, and sanctuaries. The "edge effect" of expanding the corridor can have significant detrimental impacts to native habitats by the introduction of adventitious non-native plant species that commonly colonize these areas.

Another major area of concern are the impacts associated with traveling through State and Federal Parks and Preserves, especially areas adjacent to the Savannas State Preserve, and those areas where the project bisects the Hobe Sound Wildlife Refuge and Johnathon Dickenson State Park. These areas represent the last vestiges of a once expansive Scrub Community, home to countless listed and endemic species including the only Florida endemic bird species, the Florida Scrub Jay. These areas are managed with fire to maintain the scrub jays preferred nesting height of 1 to 3 m. These are low-flying birds often swooping from the nest to access acorns in open areas of the scrub...a recipe for disaster when you add high speed rail traffic. This is only one example of many incidences that can occur and have a potential to be adversely impacted by this project.





December 2, 2014

BOARD OF DIRECTORS

PETER H. CONZE, JR.
President

LEONARD SUCSY
Vice President and Treasurer

GEORGE F. MACLEAN
Vice President and Secretary

DAVID A. BERENSON

GEORGE H. SHATTUCK, JR.

MERRILL S. SNYDER

ADVISORY BOARD

LLOYD L. BRUMFIELD

MAGGY HURCHALLA

WILLIAM L.G. LESTER

RUTH C. MEAD

DONNA S. MELZER

CHARLES G. PATTISON

NATHANIEL P. REED

F. ANTHONY ZUNINO

FOUNDER

BERNHARD M. AUER

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE
Room W38-311
Washington, DC 20590

Re: All Aboard Florida Draft Environmental Impact Statement and Section 4(f) Evaluation

Dear Mr. Winkle:

The Guardians of Martin County, Inc., a 501(c)(3) organization which has promoted a safe and healthy environment and the unique quality of life for Martin County residents for more than a decade, objects to the All Aboard Florida (AAF) high speed rail project as currently proposed and configured and submits comments with respect to the following categories evaluated in the Draft Environmental Impact Statement (DEIS): Communities and Demographics (Social and Economic Community Impacts), Economic Conditions, Environmental Justice, Navigation, Public Health & Safety, Threatened and Endangered Species, Wetlands and Water Resources.

Introduction

Martin County is located within the North-South Corridor (N-S Corridor) identified on Page 4-1 of the DEIS. The County is located approximately 40 miles north of West Palm Beach and has an estimated population of 151,263 based on 2013 U.S. Census Bureau projections.

Since there are no station stops planned between West Palm Beach and Orlando, Martin County residents will gain no benefits from 32 new trains a day traveling at high speed through our community (along with an additional 12 to 14 freight trains). AAF will cause economic harm and create safety, environmental, noise, and navigation hazards that Martin County residents do not currently face.

The stated purpose of the Environmental Impact Statement is to “disclose the environmental consequences” of the proposed AAF project “and to inform decision-makers and the public of any reasonable alternatives that would avoid or minimize adverse impacts to the natural or human environment.” The Draft EIS that was drafted by consultants who were paid by AAF fails to serve this purpose. It contains inadequate, incomplete, and inaccurate information that must be supplemented and corrected before decision-makers and the public may fully evaluate the impacts of the proposed AAF project.

♦ PROTECTING THE MARTIN COUNTY DIFFERENCE SINCE 2003 ♦

THEGUARDIANSOFMARTINCOUNTY.COM and SAVEMARTINNOW.COM

P.O. Box 1489, Hobe Sound, FL 33475 | (772) 546-7480

Communities and Demographics (Social and Economic Community Impacts)

AAF will have serious negative social and economic community impacts within Martin County.

Incredibly, the DEIS completely omits Martin County and two incorporated municipalities which are crossed by the project in its discussion of Communities and Demographics. (DEIS 4-103 through 4-105).

The City of Stuart, which is the County's largest incorporated municipality (pop. est. 15,975) and is the County Seat for Martin County, is not mentioned in the DEIS report of impacts of the project on municipalities, although there are 10 at grade crossings in the city. The Town of Ocean Breeze, also an incorporated municipality within Martin County (pop. est. 463) which, like the City of Stuart, is literally bisected by the project, has also been omitted.

Many of the City's cultural resources, including the historic Lyric Theater, which is listed on the National Register of Historic Places, and the Stuart Heritage Museum are within 100 feet of the FECR tracks.

Comments submitted by the City of Stuart and Martin County address these issues in detail.

The Guardians of Martin County question the viability of the DEIS evaluation of Communities and Demographics affected by the AAF project when the largest incorporated municipality in the County and, in fact, all of Martin County is glaringly absent from the examination of these issues. The omission of Martin County, the City of Stuart, and the Town of Ocean Breeze from the DEIS evaluation of Communities and Demographics raises serious concerns about the thoroughness and veracity of the entire proposed EIS.

Another glaringly false and absurd statement with respect to the impact of the project on communities is the assurance in the DEIS that AAF "would benefit elderly and handicapped individuals by providing a transportation option that will enhance mobility and livability in their communities." (DEIS 5-135)

Martin County has the highest percentage of elderly residents (28.9%) of any community within the N-S Corridor. Without any stops in Martin County, there is not a single "transportation option" provided by AAF to elderly and handicapped individuals. AAF not only fails to "enhance mobility and livability" in Martin County communities for elderly and handicapped residents, the project promises severe disruption to communities in which the elderly and handicapped reside and poses potential life-threatening risks.

Economic Conditions

Because the AAF project literally divides Martin County into two sections – that section east of the FECR tracks and that section west of the tracks – the project creates a severe threat to the economic survival of small businesses that rely on customers to cross the tracks for access.

Numerous small shops, restaurants, plants, groceries, and other business outlets are located adjacent to or near the FECR tracks. Fast and safe access across the tracks is not assured by the project, threatening the customer base of many of these small businesses, especially in the unincorporated areas of Port Salerno, Hobe Sound, Golden Gate and Jensen Beach and the incorporated municipality of Stuart, which encompasses the minority community of East Stuart.

Martin County has five “community redevelopment areas” (CRAs) which will be impacted by the project. None of the CRAs are identified or discussed in the DEIS. The Jensen Beach, Rio, Golden Gate, Port Salerno and Hobe Sound CRAs all are adjacent to or bisected by the FECR tracks. CRAs are statutorily created areas designed to eliminate blight, provide affordable housing, and generate economic development and stability within the communities where they are established. The DEIS fails to consider the project’s negative impacts to Martin County’s CRAs, such as the effect of lower property values caused by AAF on the Tax Increment Financing methodology that is used to finance and maintain CRA operations.

The economic benefits of the project touted by the DEIS are limited to temporary construction work in creating new infrastructure in Martin County.

The DEIS analysis that no job loss or neighborhood fragmentation will result from the project (DEIS S-17) is not borne out by the experience of small business owners and residents in the project area, especially those adjacent to or in close proximity to the FECR tracks.

Severe economic damage to existing small businesses will be long-lasting or permanent. It is likely some will not survive the onslaught of increased train traffic that will block access to their businesses and create hazardous conditions for their customers trying to cross the tracks.

Environmental Justice

The DEIS fails to identify, quantify, or describe minority and low-income populations in Martin County that are disproportionately impacted by the negative impacts of the AAF project.

The County’s minority and low-income populations are, as in many other communities, situated closest to the project and are frequently bisected by the FECR tracks.

The East Stuart community within the City of Stuart is historically African-American. East Stuart hosts two at grade crossings – at Florida Street and A1A (Dixie Highway) and at Decker and A1A. The tracks separate a densely populated residential area from the commercial area, and it is common for residents – especially children – to walk or ride their bikes across the tracks several times a day. One of the most beloved and utilized organizations within the East Stuart community, the Gertrude Walden Child Care Center, which provides services for low-income and minority parents and children, is located in the immediate vicinity of the project.

Similar situations exist in the Port Salerno, Hobe Sound and Golden Gate, where public schools, athletic fields, parks and youth centers such as the Boys and Girls’ Club are located in close proximity to the project. These communities have a high level of minority residents and businesses who are disproportionately impacted by the project, which does not directly impact the more affluent communities within the County which are not located as near the FECR tracks.

Among the negative effects of AAF on communities with higher percentages of low-income, minority, and elderly residents is the certainty that delay will be encountered by emergency vehicles crossing the FECR tracks to access emergency medical care.

Martin Memorial Medical Center, the largest medical care provider in Martin County (and also one of the largest employers in the County), has submitted comments objecting to the project noting that

emergency responders throughout Martin County already “face a unique burden from existing freight traffic” on the “rail line [which] slices through the center of” the community.

Where the elderly and the very young live and congregate near the FECR tracks, the emergency access burden is of special concern and likely to result in tragic consequences. As the CEO of Martin Memorial Medical Center noted, even if delays caused by increased train traffic at crossings throughout the community are brief, “seconds can truly mean the difference between life and death.”

In low-income and minority communities, foot and bicycle traffic across the railroad tracks is common and presents additional disproportionate dangers to these residents.

Property values in lower-income areas are already depressed and will be further depressed by the proximity of the project. Noise and vibration from increased train traffic will disproportionately impact low-income and minority communities located closest to the FECR tracks.

Navigation

Numerous comments have been submitted regarding the serious negative impacts to navigation caused by the project and the failure of the DEIS to adequately and accurately address these concerns. The Guardians of Martin County, Inc., joins the marine industry, local governments, and boaters throughout the County in objecting to the project as it relates to navigation.

The information contained in the DEIS is indisputably inaccurate with respect to the number of vessels which pass through the St. Lucie River bridge. Comments submitted by Martin County include accurate counts of vessels passing through the bridge during the week and on weekends, reflecting more than twice as many vessels as the DEIS estimates.

Delays in allowing marine traffic to navigate through the St. Lucie River bridge opening will affect boater safety as well as property values for waterfront properties that lie to the west of the bridge. Commercial marinas and docks that require boaters to navigate through the bridge with longer and more frequent closures also will be severely impacted by the project.

Public Health & Safety

The DEIS fails to acknowledge that Fire Rescue and evacuation routes will be hampered by the project throughout Martin County.

Even in more affluent communities such as Jupiter Island and Sewall’s Point, there will be increased delays in the ability of emergency responders to reach the medical center located across the FECR tracks. Both the City of Stuart and Martin County, which contracts with other municipalities to provide fire rescue services, project serious increases in emergency response times due to increased train traffic and crossing closures.

Delays of as much as an additional 45 minutes are projected for evacuation in the event of an emergency at the St. Lucie Nuclear Power Plant on Hutchinson Island just north of Martin County. All evacuation routes are crossed by FECR tracks. In the event of other emergencies or weather events that require evacuation, increased train traffic will generate still more delays.

Pedestrian crossings which are frequently used throughout the County, especially in low-income and

minority areas, will be even more dangerous with not only a higher number of trains on the tracks each day but increased speed of approaching trains. Pedestrians used to gauging the time available to cross the tracks based on the slower speed of freight trains will face significantly less crossing time with high-speed passenger trains approaching.

Threatened and Endangered Species

The DEIS discounts any impacts to threatened and endangered species and inaccurately states that no such species will be affected by the project.

The project passes through Jonathan Dickinson State Park (JDSP) in Martin County, which is the site of a number of resources which are not even mentioned in the DEIS. The Florida Division of Recreation and Parks (DRP) has submitted comments identifying species which will likely be impacted, such as perforated reindeer lichen (*Cladonia perforata*) located within the right-of-way and Curtiss' milkweed (*Asclepias curtissi*).

The Division notes that the federally protected eastern indigo snake has habitat within the N-S Corridor that will be impacted, as well as the Florida scrub jay, gopher tortoise, gopher frog, and Florida mouse. The gopher frog is especially likely to cross back and forth across the tracks in the park to travel between scrub habitat and wetlands breeding grounds.

Expansion of the tracks through JDSP will impact Florida scrub jay habitat as well as gopher tortoise on site.

More frequent closings of the rail crossing within JDSP will have severe negative impacts since the park has only one public access road. Emergency vehicles, campers, and day visitors could be trapped in the western part of the park during closures.

The DPR has submitted extensive and detailed comments addressing these issues.

Wetlands and Water Resources

As with other environmental impacts, the DEIS minimizes damage to wetlands and water resources resulting from the proposed project.

Comments submitted by Martin County detail serious concerns, including potential impacts to the Northwest Fork of the Loxahatchee River, which is federally designated as a Wild and Scenic River. The DEIS brushes off such concerns, suggesting that the lack of proximity to the FECR tracks eliminates or minimizes them. The entire Loxahatchee River watershed is a significant ecological complex, however, that provides unique habitat for endangered, threatened and migratory birds that travel throughout the area, including within the right-of-way.

Overall impacts to wetlands throughout the project area have not been quantified or addressed by the DEIS, which discusses mitigation of these impacts without acknowledging Martin County's special protections for all wetlands. Insufficient data is provided for an accurate evaluation of the project's wetlands impacts.

Impacts to water resources are being considered by the U.S. Army Corps of Engineers; however, the Corps has yet to schedule public hearings which have been requested by the Guardians of Martin

County, Inc., as well as Martin County and other governmental agencies.

It is inevitable that impacts to manatee, protected seagrasses, and other marine life will be severe as a result of increased train traffic resulting in increased bridge closures producing more vessels queuing up to navigate through the bridge.

Conclusion

The DEIS failed to objectively and fairly evaluate the CSX Route Alternative (DEIS Figure 3.2-1), which would avoid most if not all of the negative impacts to Martin County residents and communities. The AAF-paid consultants simply rejected the CSX Route Alternative out-of-hand, citing speculative issues such as “the risk that CSX would not be willing to enter into” a shared use agreement for existing infrastructure and unsupported conclusions such as the CSX Route Alternative poses “the highest potential adverse direct and indirect impacts to wetlands and protected species.” (DEIS 3-7) The Guardians of Martin County, Inc., strongly opposes the AAF project as proposed. The DEIS is replete with inaccurate, out-dated, speculative, and subjective material that appears to have been deliberately skewed by the drafters to support an unsustainable, critically flawed project.

The Guardians advocates consistency with the Martin County Comprehensive Growth Management Plan in all development throughout the County. The DEIS inaccurately states that the Plan was prepared by the Martin County “Division of Community Planning.” (DEIS 4-4) There is no such agency within Martin County government. The Plan was prepared by the Martin County Growth Management Department.

Please insist that the final EIS be delayed until supplemental and accurate information is provided that truly reflects the AAF project’s impacts on the population and communities along the projected route.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter H. Conze, Jr.", with a stylized, cursive script.

Peter H. Conze, Jr., President

The Guardians of Martin County, Inc.

www.theguardiansofmartincounty.com

Prepared by Virginia P. Sherlock, Esq.

Counsel to The Guardians of Martin County, Inc.

Mr. John Winkle

October 27, 2014

Page Three

Regarding **noise impacts**, we note on Page 5-39 of the DEIS, "The project would result in long-term noise and vibration adverse impacts to residents and properties primarily along the N-S Corridor." Mitigation to eliminate this is based on an AAF commitment to install wayside horns, but no documentation confirms this. Note also though that construction noise at the "human annoyance" level would impact 693 residential and 61 institutional impacts (p.5-54) in the N-S Corridor. Again, we find no documentation regarding how such impacts are to be mitigated. In addition, it remains unclear as to the local government costs associated with installation and maintenance of "quiet zones".

Although the proposed passenger service would not transport **hazardous materials** (Table 5.2.4-1) as would the increasing freight activity, we found nothing that recognized the potential impacts for a passenger/freight collision or a freight accident/derailment in the North-South Corridor. Given the projected population increases in this corridor, it would seem prudent to either restrict the transport of hazardous materials or identify additional safety measures now prior to any increase in freight and passenger service.

We have heard repeatedly about the impacts of the existing **freight trains**, currently running 12 times/day in this area. With an average length of more than 1.5 miles and projected increases coming due to the PANAMAX improvements, accommodating this increase while adding passenger service can only mean additional delays for the public and service vehicles. The DEIS acknowledges this without providing any details as to why this will be manageable. The fear expressed by many of our members is that the second track being constructed for passenger service could also accommodate significantly more freight trains which would bring even longer delays at intersections. We were unable to identify any safeguards that address this very real concern.

1000 Friends is involved with ongoing efforts to deal with climate change in a variety of venues, especially **sea level rise**. While the DEIS acknowledges the need to address this through construction standards, it simply says that such construction will be subject to USACE permit requirements. We would like to know what such standards involve and how they would ultimately be implemented.

THOMAS J. LANAHAN
415 GLENBROOK DRIVE
ATLANTIS, FL 33462
HOME 561-968-4640
TJLANAHAN@AOL.COM

November 26, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

Re: All Aboard Florida Passenger Rail Project

Dear Mr. Winkle:

A review of the Draft Environmental Impact Statement and other information provided to date by All Aboard Florida (AAF) regarding their project on the Florida East Coast Railway (FEC) shows that the project will provide a very beneficial transportation option to central and southeast Florida. However, the benefits of the project and the impacts to the communities along its route are not proportional in all cases, especially between northern Palm Beach County and Cocoa. These areas will experience the disruptions of the project (noise, grade crossing gate closures, bridge closures) without any tangible benefit to them since no stops are proposed between West Palm Beach and Orlando.

A suitable mitigation measure for this issue exists – the proposed project to bring Amtrak intercity service to the FEC corridor between Jacksonville and West Palm Beach as part of an additional train or trains between New York and Miami. This new service proposes new stops in St. Augustine, Daytona Beach, Cocoa, Melbourne, Ft. Pierce, Vero Beach, and Stuart. The underlined cities are all impacted by AAF but receive no service from AAF. By facilitating the Amtrak project, AAF could mitigate this issue by providing a transportation option for these communities. To accomplish this, the following conditions are recommended:

1. Study of the impacts of the AAF project segment between West Palm Beach and Cocoa should include the potential of 4 Amtrak trains per day (2 northbound and 2 southbound) and those impacts managed as part of the AAF project.
2. Use of the FEC corridor between a connection with CSX Transportation in Jacksonville and the Northwood connection with CSX in West Palm Beach shall be provided at a reasonable access charge commensurate with the rates used historically by other railroads for current Amtrak trains.

In conclusion, the proposed AAF project is a good improvement for transportation in Florida that becomes a great improvement, fair to all Floridians, with the incorporation of the above suggested conditions.

Sincerely yours,



Thomas J. Lanahan

stop the train

John Winkle, Federal Railroad Administration
1200 New Jersey Ave SE
Room V-38-311
Washington, DC 20590

November 24, 2014

Dear Sir.

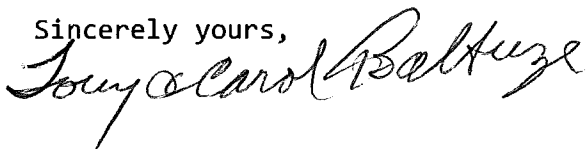
I am writing regarding the proposed All Aboard Florida passenger rail project.

As someone who lives along the path of the proposed project, we object very strongly to the effects this will have on our quiet community and the entire eastern corridor.

The best solution lies to the west along the I-95 or FL turnpike which has abundant ROOM for this and would bring the train in even faster without creating such dangerous situation as this added traffic and additional "train effects". This was approved in 2000 by the Florida voters as a high speed bullet train.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in cursive script that reads "Tony & Carol Balbuze". The ink is dark and the signature is fluid.

Tony and Carol Balbuze
817 Sapodilla Dr
Barefoot Bay, FL 32976



Ronald L. Book, P. A.

LAW OFFICES
PROFESSIONAL ASSOCIATION

October 6, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

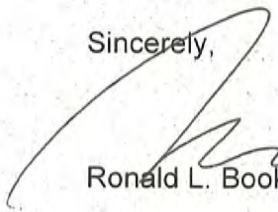
Dear Mr. Winkle:

I would like to express my strong and unequivocal support for All Aboard Florida. This project will re-establish passenger rail between two of the State's most congested, visited and populated regions. This new service will have beneficial social and economic impacts for the millions of residents that travel along the State's East Coast. I have lived in South Florida for sixty (60) years and this is a need long overdue.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove up to 3 million vehicles on the road per year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida, which are some of the most dangerous in the country, and result in increased productivity for train passengers. We need other transportation choices. In my review of the Draft Environmental Impact Statement, I found the following to be especially true, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach by providing potential customers with an alternative means of transportation."

The All Aboard Florida project represents a real solution to the transportation challenges in Florida. I cannot wait to get on board!

Sincerely,



Ronald L. Book

RLB/gf

REPLY TO:

- ☐ Harbour Centre - 18851 N.E. 29th Avenue, Suite 1010 - Aventura, Florida 33180 - Telephone (305) 935-1866 - Fax (305) 935-9737
- ☐ 104 West Jefferson Street - Tallahassee, Florida 32301 - (850) 224-3427

October 29, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I would like to express my strong support for All Aboard Florida. The project would re-establish passenger rail between two of the state's most congested, visited and populated regions. This new service would have beneficial social and economic impacts for the millions of residents that travel along the state's east coast.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove up to 3 million vehicles on the road per year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida, which are some of the most dangerous in the country, and result in increased productivity for train passengers. We need other transportation choices. In my review of the Draft Environmental Impact Statement, I found the following to be especially true, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach by providing potential customers with an alternative means of transportation."

Florida has become one of the most populated, and once again, rapidly growing states in the US. At the present time, 700 people move to the state each day, and we know our highway systems will not accommodate it all. The All Aboard Florida project represents a real solution to the transportation challenges in Florida.

Sincerely,

Philip W. Hanegraaf
Aurora, IL

822 Hyacinth Cir
Barefoot Bay, FL
October 26, 2014

John Stinkle
Federal Railroad
Administration
1200 New Jersey Ave, SE
Rm 38-31
Washington, DC 20590

Dear Mr Stinkle,

As a resident and voter in
the State of Florida, I must express
my disapproval and disagreement
with plans to expand railroad
service through the All-Aboard
Florida plan.

We are in a residential area
that is bordered by the rail
system. Emergency, life-saving
vehicles are already impacted by
current railroad service. This
program does not benefit us in any
way.

Sincerely,
Joyce R. McLaughlin
JOYCE R. McLAUGHLIN

To Whom It May Concern;

You may not be aware of this, but Barefoot Bay, where you want to run this All Aboard Florida, is more or less of a retirement community, with a lot of elderly people. While the All Aboard Florida might be a good idea for some areas, I think it is really NOT a great idea for Barefoot Bay. We need pretty constant access to fire trucks and ambulances, especially as these are modular homes. If one of these homes goes up in flames they go QUICKLY, and the All Aboard Florida could cause the whole house to go down because the fire truck couldn't get to it. Also, I am afraid with so many trains running through here all day long, any ambulance that someone might need, could be delayed, possibly causing a death, that could have been avoided, had the trains not delayed the ambulance.

Would it be possible for you to find another place for your All Aboard Florida? We would truly appreciate it, and we would feel ever so much safer. Thank you.

Buddy and Jackie Harper

914 Laurel Circle

Barefoot Bay, Florida 32976

(772) 664- 6759

November 23, 2014

John Winkie, Federal Railroad Administration
1200 New Jersey Avenue
SE Room V-38-311
Washington D.C. 20590

Dear Mr. Winkie,

I am writing with concerns about the All Aboard Florida (AAF) passenger rail project and the Draft Environmental Impact Statement (DEIS) they have forwarded to the Federal Railroad Administration (FRA) for review and comment.

The DEIS repeatedly refers to the impacts of adding 32 high speed trains as “will be mitigated”. No remedies are discussed for important issues like noise, vibration, air quality, construction staging or the impact more freight and 32 passenger trains will have on our natural habitats and wildlife. There has been a serious attempt by AAF to fool us into accepting their plan with misleading facts or partial truths at area forums. Additionally, as the South Florida Phase 1 segment is moving forward, many people believe there is nothing we can do to resolve their concerns. That sentiment has been used by AAF to limit comments and promise local officials concessions and/or stations “sometime in the future”.

The new AAF tracks will bisect our community of mostly retired and senior residents. This means increased train activity could virtually cut off the east parts of my neighborhood from western portions. This is a serious impediment to the delivery of emergency services. Neighbors will be separated from neighbors and access to needed community services will be limited by increased delays at crossing.

Safety at railroad crossings is also a huge concern. Add 32 daily high speed trains, PLUS 16 to 20 freight trains to road crossings, that are level to the roadway (grade Level) and we have an accident waiting to happen.

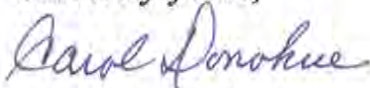
Also, not adequately addressed is the demolition and replacement of the St. Sebastian River railroad bridge. AAF states the bridge will remain in its right-of-way. While the bridge may be in the right-of-way, the tracks are being moved east and at landfall will impact homes in the Little Hollywood community. Among the issues “to be mitigated” are the impacts of bridge construction on the annual winter migration of the Florida Manatee, an endangered species.

The St. Sebastian River is treated as a stand-alone issue. No mention is made concerning its use as a watershed by the St. Johns River Management District or that the River is a tributary of – and included in – the National Indian River Lagoon Estuary, a Lagoon of national importance and in critical need of restoration.

Finally, Florida already has a passenger train that goes from Miami to Orlando and no one rides it. It's called Amtrak.

I am asking the Railroad Administration to reject the flawed Draft Environmental Statement and tell All Aboard Florida to do their due diligence and provide needed facts that truly justify this proposal. Better yet, tell them to move their train west. Florida voters approved an amendment to the states constitution in 2000 authorizing a high speed "bullet" train adjacent to Florida's Turnpike.

Sincerely yours,

A handwritten signature in blue ink that reads "Carol Donohue". The signature is fluid and cursive, with the first name "Carol" and last name "Donohue" clearly distinguishable.

Carol Donohue
831 Sapodilla Drive
Barefoot Bay, Fl. 32976

September 22, 2014

John Winkle

Federal Railroad Administration

1200 New Jersey Avenue

Washington, D.C. 20590

Dear Sir:

I am writing to express my concerns regarding All Aboard Florida and its plans to expand both passenger and freight trains from Miami to Orlando.

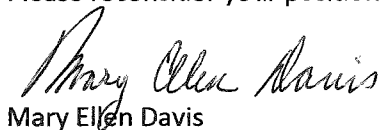
The location is all wrong. This area of Florida east coast is heavily populated and the impact of the trains will be harmful to the environment and the citizens who live along or close to the tracks. I have no objection to trains per say, but let them build new rail lines west of Rte 95 and/or the Florida Turnpike.

I live in a community where when the gates are shut, there are long delays. Ambulances, police and fire services are already disrupted by the trains, but adding more trains is NOT the answer. Move the trains and I would assume there would be more widespread acceptance.

I have written to politicians in this area and have not heard any response that is credible and I will continue to express my opposition to this train service.

This project is disgraceful and is being FORCED UPON US by major companies whose goal is pure profit and it would appear that it is being aided by the Federal Railroad Administration.

Please reconsider your position.

A handwritten signature in cursive script that reads "Mary Ellen Davis".

Mary Ellen Davis

929 Spruce St.

Barefoot Bay, Florida 32976

stop the train

John Winkle, Federal Railroad Administration
1200 New Jersey Ave SE
Room V-38-311
Washington, DC 20590

November 24, 2014

Dear Sir.

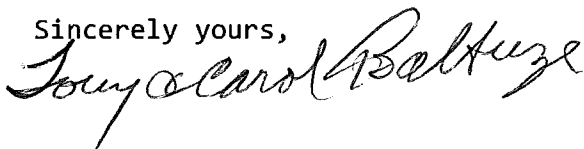
I am writing regarding the proposed All Aboard Florida passenger rail project.

As someone who lives along the path of the proposed project, we object very strongly to the effects this will have on our quiet community and the entire eastern corridor.

The best solution lies to the west along the I-95 or FL turnpike which has abundant ROOM for this and would bring the train in even faster without creating such dangerous situation as this added traffic and additional "train effects". This was approved in 2000 by the Florida voters as a high speed bullet train.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in cursive script that reads "Tony & Carol Balbuze". The signature is written in dark ink and is positioned to the right of the typed name.

Tony and Carol Balbuze
817 Sapodilla Dr
Barefoot Bay, FL 32976



Ronald L. Book, P. A.

LAW OFFICES
PROFESSIONAL ASSOCIATION

October 6, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

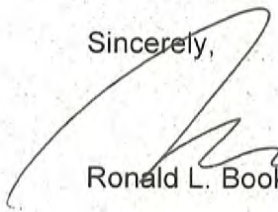
Dear Mr. Winkle:

I would like to express my strong and unequivocal support for All Aboard Florida. This project will re-establish passenger rail between two of the State's most congested, visited and populated regions. This new service will have beneficial social and economic impacts for the millions of residents that travel along the State's East Coast. I have lived in South Florida for sixty (60) years and this is a need long overdue.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove up to 3 million vehicles on the road per year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida, which are some of the most dangerous in the country, and result in increased productivity for train passengers. We need other transportation choices. In my review of the Draft Environmental Impact Statement, I found the following to be especially true, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach by providing potential customers with an alternative means of transportation."

The All Aboard Florida project represents a real solution to the transportation challenges in Florida. I cannot wait to get on board!

Sincerely,



Ronald L. Book

RLB/gf

REPLY TO:

- ☐ Harbour Centre - 18851 N.E. 29th Avenue, Suite 1010 - Aventura, Florida 33180 - Telephone (305) 935-1866 - Fax (305) 935-9737
- ☐ 104 West Jefferson Street - Tallahassee, Florida 32301 - (850) 224-3427



BAREFOOT BAY RECREATION DISTRICT

December 3, 2014

Gentleman:

I am the current Chairman of the Barefoot Bay Recreation District (BBRD) Board of Trustees, which governs the community of Barefoot Bay Florida, located in south Brevard County, and represents more than 5000 residents, the majority of which are very concerned about the impact of All Aboard Florida (AAF) to our community and our standard of living.

Some of our resident concerns about the All Aboard Florida (AAF) passenger rail project and the Draft Environmental Impact Statement (DEIS) they have forwarded to the Federal Railroad Administration (FRA) for review and comment are as follows:

The DEIS repeatedly refers to the impacts of adding 32 high speed trains as "will be mitigated." No remedies are discussed for important issues like noise, vibration, air quality, construction staging or the impact more freight and 32 passenger trains will have on our natural habitats and wildlife. There has been a serious attempt by AAF to fool us into accepting their plan with misleading facts or partial truths at area forums. Additionally, as the South Florida Phase 1 segment is moving forward, many people believe there is nothing we can do to resolve their concerns. That sentiment has been used by AAF to limit comments and promise local officials concessions and/or stations "sometime in the future."

The new AAF tracks will bisect Barefoot Bay, a community of mostly retired and senior residents, and will mean increased train activity could virtually cut off the east parts of my neighborhood from western portions and be a serious impediment to the delivery of emergency services. Neighbors will be separated from neighbors and access to needed community services will be limited by increased delays at railroad crossings.

Safety at railroad crossings is also a huge concern for our residents and when you add 32 daily high speed trains, PLUS 16 to 20 freight trains to our road crossings, which are at grade level, you create an accident waiting to happen.

Also, not adequately addressed by AAF is the demolition and replacement of the St. Sebastian River railroad bridge. The AAF states the bridge will remain in its right-of-way and while that may be true, the tracks are being moved east and at landfall, will impact homes in the Little Hollywood community, one of our southern neighbors. Among the issues, "to be mitigated", are the impacts of bridge construction on the annual winter migration of the Florida Manatee, an



BAREFOOT BAY RECREATION DISTRICT

endangered species. The St. Sebastian River is treated as a stand-alone issue and no mention is made concerning its use as a watershed by the St. Johns River Management District or that the St. Sebastian River is a tributary of, and included in, the National Indian River Lagoon Estuary, a Lagoon of national importance and already in critical need of restoration.

In conclusion, I am asking the Railroad Administration to reject the flawed Draft Environmental Impact Statement and tell All Aboard Florida to do their due diligence and provide needed facts that truly justify this proposal. It is also worth mentioning that Florida voters approved an amendment to the state's constitution in 2000 authorizing a high speed "bullet" train adjacent to Florida's Turnpike and actually, Florida already has a passenger train that goes from Miami to Orlando and no one rides it. It's called Amtrak.

Sincerely yours,

Thomas Guinther,
Board of Trustees Chairman,
Barefoot Bay Recreation District

822 Hyacinth Cir
Barefoot Bay, FL
October 26, 2014

John Stinkle
Federal Railroad
Administration
1200 New Jersey Ave, SE
Rm 38-31
Washington, DC 20590

Dear Mr Stinkle,

As a resident and voter in the state of Florida, I must express my disapproval and disagreement with plans to expand railroad service through the All-Aboard Florida plan.

We are in a residential area that is bordered by the rail system. Emergency, life-saving vehicles are already impacted by current railroad service. This program does not benefit us in any way.

Sincerely,
Joyce R. McLaughlin
JOYCE R. McLAUGHLIN

To Whom It May Concern;

You may not be aware of this, but Barefoot Bay, where you want to run this All Aboard Florida, is more or less of a retirement community, with a lot of elderly people. While the All Aboard Florida might be a good idea for some areas, I think it is really NOT a great idea for Barefoot Bay. We need pretty constant access to fire trucks and ambulances, especially as these are modular homes. If one of these homes goes up in flames they go QUICKLY, and the All Aboard Florida could cause the whole house to go down because the fire truck couldn't get to it. Also, I am afraid with so many trains running through here all day long, any ambulance that someone might need, could be delayed, possibly causing a death, that could have been avoided, had the trains not delayed the ambulance.

Would it be possible for you to find another place for your All Aboard Florida? We would truly appreciate it, and we would feel ever so much safer. Thank you.

Buddy and Jackie Harper

914 Laurel Circle

Barefoot Bay, Florida 32976

(772) 664- 6759

November 23, 2014

John Winkie, Federal Railroad Administration
1200 New Jersey Avenue
SE Room V-38-311
Washington D.C. 20590

Dear Mr. Winkie,

I am writing with concerns about the All Aboard Florida (AAF) passenger rail project and the Draft Environmental Impact Statement (DEIS) they have forwarded to the Federal Railroad Administration (FRA) for review and comment.

The DEIS repeatedly refers to the impacts of adding 32 high speed trains as “will be mitigated”. No remedies are discussed for important issues like noise, vibration, air quality, construction staging or the impact more freight and 32 passenger trains will have on our natural habitats and wildlife. There has been a serious attempt by AAF to fool us into accepting their plan with misleading facts or partial truths at area forums. Additionally, as the South Florida Phase 1 segment is moving forward, many people believe there is nothing we can do to resolve their concerns. That sentiment has been used by AAF to limit comments and promise local officials concessions and/or stations “sometime in the future”.

The new AAF tracks will bisect our community of mostly retired and senior residents. This means increased train activity could virtually cut off the east parts of my neighborhood from western portions. This is a serious impediment to the delivery of emergency services. Neighbors will be separated from neighbors and access to needed community services will be limited by increased delays at crossing.

Safety at railroad crossings is also a huge concern. Add 32 daily high speed trains, PLUS 16 to 20 freight trains to road crossings, that are level to the roadway (grade Level) and we have an accident waiting to happen.

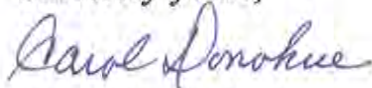
Also, not adequately addressed is the demolition and replacement of the St. Sebastian River railroad bridge. AAF states the bridge will remain in its right-of-way. While the bridge may be in the right-of-way, the tracks are being moved east and at landfall will impact homes in the Little Hollywood community. Among the issues “to be mitigated” are the impacts of bridge construction on the annual winter migration of the Florida Manatee, an endangered species.

The St. Sebastian River is treated as a stand-alone issue. No mention is made concerning its use as a watershed by the St. Johns River Management District or that the River is a tributary of – and included in – the National Indian River Lagoon Estuary, a Lagoon of national importance and in critical need of restoration.

Finally, Florida already has a passenger train that goes from Miami to Orlando and no one rides it. It's called Amtrak.

I am asking the Railroad Administration to reject the flawed Draft Environmental Statement and tell All Aboard Florida to do their due diligence and provide needed facts that truly justify this proposal. Better yet, tell them to move their train west. Florida voters approved an amendment to the states constitution in 2000 authorizing a high speed "bullet" train adjacent to Florida's Turnpike.

Sincerely yours,



Carol Donohue
831 Sapodilla Drive
Barefoot Bay, Fl. 32976

September 22, 2014

John Winkle

Federal Railroad Administration

1200 New Jersey Avenue

Washington, D.C. 20590

Dear Sir:

I am writing to express my concerns regarding All Aboard Florida and its plans to expand both passenger and freight trains from Miami to Orlando.

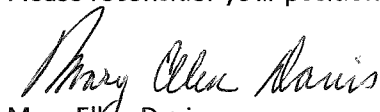
The location is all wrong. This area of Florida east coast is heavily populated and the impact of the trains will be harmful to the environment and the citizens who live along or close to the tracks. I have no objection to trains per say, but let them build new rail lines west of Rte 95 and/or the Florida Turnpike.

I live in a community where when the gates are shut, there are long delays. Ambulances, police and fire services are already disrupted by the trains, but adding more trains is NOT the answer. Move the trains and I would assume there would be more widespread acceptance.

I have written to politicians in this area and have not heard any response that is credible and I will continue to express my opposition to this train service.

This project is disgraceful and is being FORCED UPON US by major companies whose goal is pure profit and it would appear that it is being aided by the Federal Railroad Administration.

Please reconsider your position.



Mary Ellen Davis

929 Spruce St.

Barefoot Bay, Florida 32976

stop the train

John Winkle, Federal Railroad Administration
1200 New Jersey Ave SE
Room V-38-311
Washington, DC 20590

November 24, 2014

Dear Sir.

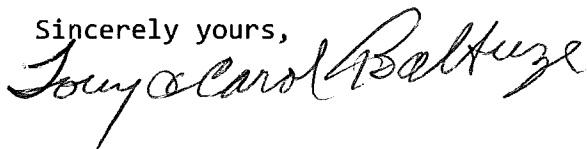
I am writing regarding the proposed All Aboard Florida passenger rail project.

As someone who lives along the path of the proposed project, we object very strongly to the effects this will have on our quiet community and the entire eastern corridor.

The best solution lies to the west along the I-95 or FL turnpike which has abundant ROOM for this and would bring the train in even faster without creating such dangerous situation as this added traffic and additional "train effects". This was approved in 2000 by the Florida voters as a high speed bullet train.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in cursive script that reads "Tony & Carol Balbuze". The signature is written in dark ink and is positioned to the right of the typed name.

Tony and Carol Balbuze
817 Sapodilla Dr
Barefoot Bay, FL 32976

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

See attached 2 pages.

If you need additional space, please attach a second sheet to this page

for years been paid by our communities out of our tax monies. Why should we do this for a supposedly "private" enterprise that detracts from our quality of life and gives us no benefit?

Another area of concern for the project as a whole are the places where the rail crosses rivers via draw-bridges. If such bridges malfunction it can take days to fix them. If people are depending on these trains for dependable transportation they may well be upset at the delays. After all, we are no longer in the 19th century. The report notes that under storm conditions trains may just have to be cancelled. Again it seems this train will be of no service to the residents of Florida. If a major storm came, making it necessary to evacuate areas such as S. Florida, the trains would be unlikely to help, and perhaps might hinder leaving the area. As well, too many delays and break-downs would give the AAF bad publicity and deter train use, perhaps extensively. The project would be seen as a boondoggle and consequently be even more likely to fail.

These are major considerations. Unless they can be satisfactorily answered, I recommend not approving this project.

Sincerely,

Judy McCluney

1908 Manor Dr.

Cocoa, Florida 32922

November 24, 2014

Re: AAF DEIS

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE Room W38-311
Washington, D.C. 20590

I have reviewed the DEIS for All Aboard Florida's proposed passenger rail project. I am a longtime resident of Brevard County Florida.

A number of areas seem inadequately addressed in the report and for me cast doubt on the feasibility of the project. It seems unworthy of public support.

Traffic issues stand out. Appendix 2.1 states "The Project is intended to alleviate the growing congestion of the regional highway system while not creating new or substantial delays to existing local transportation networks." The report states our traffic is expected to double by 2040.

This project does nothing to alleviate local traffic from Cocoa to West Palm Beach. It will contribute to congestion by having trains block major intersections in busy, established and growing communities along the main U.S.1 artery. The report obfuscates the likely numbers on the traffic back-ups by not explaining or putting into length measures such as "feet" or "miles" the "queue line" figures. If they are in "feet" the analysis showed many intersections with queue lengths approaching a mile and "LOS" (wait) times of well over a minute. I could not find any analysis for Brevard County intersections. With the figures given for our neighboring counties, even if the actual train passage were only seconds, the back-up of waiting traffic would likely spill beyond the turn-off lanes and block through-highway commuter (U.S.1) traffic. The intersection closure times listed are inconsistent. For 2011, based on actual figures, they are given as: 28.5m.p.h. av. speed for freight trains with 195 sec. av. time to clear the intersection and 240 seconds to both activate crossing gates & have the train clear the intersection. In the 2016 plan the freight speed is listed as 53.8 miles per hour and 103 seconds to clear the intersection (not counting crossing gate times.) Why is the speed of freight trains almost double? For passenger trains with average speed of 98.1 m.p.h. the clearing time is stated as 6 seconds. Regardless, the approach to the intersection requires close to 40 seconds gate closing and opening time. The issue here is not clearance but that traffic signals at intersections have to prevent cars' approach into that intersection sooner. When the existing turn lanes from the highway are of limited length traffic is likely to back up into the highway. Is AAF going to pay for expanding such highway turn-off lanes?

With traffic blockage of main roads traffic can no longer be "through" traffic. Thus the intent of new road improvement such as U.S.1 in Cocoa is rendered useless. Tax money has been wasted to improve a road that will have more blockage and congestion, rendering it obsolete before it is even completed.

Safety is an issue of course. It has not been adequately addressed in terms of this road blockage, which itself has been poorly examined. Our safety and hospital services are often on the "other" side of the RR and U.S.1. They will be blocked by more trains.

Finally, there are taxation issues. With so much more frequent use of the crossings by trains more upkeep will be needed. These costs for maintenance and "rebuids" (average cost \$100,000 per intersection) have

18

Jacob E. Lippman
11733 Grove Ridge Lane
Boynton Beach, FL 33437

December 4, 2014

Federal Railroad Administration
1200 New Jersey Avenue SE
Washington, DC 20590

As you are well aware, All Aboard Florida is a proposed railroad expansion providing passenger service between the South Florida cities of Miami, Fort Lauderdale and West Palm Beach to Orlando. Thirty-two passenger trains a day are proposed in addition to increased freight traffic.

I am sure you are aware of the opposition to this from private and commercial boaters regarding the increased bridge openings over heavily used waterways as well as from communities through which the high speed trains would pass

South Florida is a heavily populated area. The area through which the high speed trains will pass is basically one extended urban area, a single city, stretching through Dade, Broward and Palm Beach counties. There are many heavily travelled roadways crossing the existing Florida East Coast Railway tracks over which All Aboard Florida will run, utilizing grade crossings.

Before any final approval is given for this project (for which there really is no need since underused passenger service on other tracks is already available from the three South Florida cities to Orlando), representatives of your Agency should visit some of the grade crossings where the new high speed passenger trains will be travelling. **I suggest starting off by taking a look at the crossing at Atlantic Avenue in Delray Beach, FL, at a time when the existing freight traffic rolls through at about half the speed of the proposed passenger trains.** And while there, they might enjoy some of the many delightful restaurants within a few yards of the tracks. I am sure they will then be convinced of the stupidity of this project.

But if it must be built, the only way to build All Aboard Florida is to duplicate the kind of elevated tracks which carry the Amtrak Acela from Washington to Boston several times a day. I believe there are only about a half dozen grade crossings on this entire route. And as for the boat traffic, building new railroad bridges high enough to accommodate it, making bridge openings unnecessary, is the only real solution.

If indeed All Aboard Florida is ever built, passenger service will probably be abandoned after a few months anyway due to lack of customers, and the improved tracks devoted entirely to freight traffic, which is what I've heard the project is really all about in the first place. And the Federal Railroad Administration will have egg on its face for not doing its job by helping the scam known as All Aboard Florida to come to fruition.

Sincerely,



Miami Aqua-culture, Inc.

805 N. Federal Hwy., Boynton Beach, FL 33435

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
SE Room W38-311
Washington, D.C. 20590

Re: All Aboard Florida
December 2, 2014

Miami Aqua-culture, Inc. owns property directly adjacent to the FEC rail lines in Boynton Beach, Florida. We operate both a retail business and an import/export business from this location. We are therefore directly impacted by the proposed all Aboard Florida project planned for our back yard. I have reviewed the Environmental Assessment written exclusively by AAF contractors, the FONSI written by the FRA in response to the unsolicited and self-serving EA, and now the required DEIS written under the direction of the FRA. There are many contradictions, distortions of fact and failed methodology which leaves this current DEIS, in our view, non-compliant with both the spirit and the legal requirements of NEPA. The following issues need to be addressed for the final EIS to have any credibility as a rigorous and true evaluation of the overall Environmental Impact of this project.

Failure to perform a comprehensive and independent, critically reviewed analysis of the project from Miami to Orlando.

When the EIS was announced on April 15, 2013 in response to a large loan request from AAF, it was quite clear that it would cover the entire project, and possible alternatives, from Miami to Orlando. This declaration was unambiguous, and a direct requirement of NEPA. However, the summary and introduction of the DEIS makes it clear that FRA administrators, including John Winkle, purposely substituted a self-serving Environmental Assessment (EA) written entirely by AAF 2 years earlier to describe impacts of the project from Miami to West Palm Beach. At the time the EA was written, AAF was not seeking any approvals or funding for the FRA. As a result the FRA took that document at face value without any critical review or independent verification of the assertions or conclusions it contained. Mr. Winkle and the FRA have repeatedly pointed to the FONSI issued by the FRA January 31, 2013 based solely on the EA. They claim that finding of no impact as the legal basis for refusing to review and re-analyze the project from Miami to West Palm Beach in this DEIS. But in fact on page 6 of the introduction to the FONSI, the FRA makes very clear that "...neither the EA nor this FONSI address *in any way* the environmental impacts associated with the development of passenger rail in the larger corridor between Miami and Orlando or how the impacts might be appropriately be identified and evaluated should a federal approval or a funding role through the FRA be identified in the future."

The refusal of the FRA to properly evaluate this project in the DEIS as required by the NEPA invites a legal challenge. It also brings into question the credibility and impartiality of the FRA to conduct a truly independent review as required by law. If the DEIS will concentrate solely on the Phase II from West Palm Beach to Orlando as some have suggested, then any proceeds from a resulting loan must also

exclude any improvements in Phase 1 or re-financing of \$450 million in private bonds used in Phase 1 construction.

Failure to properly analyze freight impact.

AAF has maintained that they are strictly a passenger railroad. As a result they demand that this DEIS only look at the impacts of 32 passenger trains per day schedule. But AAF will share these tracks with their parent company, FEC Railways, a freight company. In their EA, AAF claimed a freight increase of only 5% over the next few years. But Gov. Rick Scott and the president of the FEC have publicly claimed that freight will more than triple on the FEC tracks by 2016. This is directly the result of double tracking and a Positive Control System (PTC) upgrade paid for by AAF but now required for all passenger trains and freight lines that carry hazardous goods. In your own introduction to The DEIS, the FRA acknowledges that freight trains will become longer and increase to 20-22 per day (2 per hour). However, nearly all your impact evaluations are based on the current 10-12 trains per day, at least in the Miami to West Palm analysis. This is a fundamental flaw and should require a review or a mitigation limit of 12 freight trains per day.

Failure to properly analyze noise and air pollution.

At the time this DEIS was released, AAF had announced its selection of a Siemens model high speed train only a few days before. This DEIS, like the deeply flawed EA 2 years earlier, could only make unfounded claims and assertions about how much noise and pollution the proposed train would make. In both the EA and DEIS the claim is that overall noise and pollution would actually decrease over current levels by adding 32 passenger trains and additional freight trains each day. This does not pass the 'laugh test' or seem credible in any way. The reduced pollution claim appears to come from an assumption that 91% of all AAF passengers will come from existing, dirtier forms of transportation. This assumption is contradicted by AAF's own claims that this project will bring millions of new visitors to South Florida. The small numbers projected to come from Amtrack, Tri-rail or plane traffic will not be enough to reduce their operations or associated noise and pollution. It is highly unlikely that the auto passengers, who make up 69% of the AAF riders, will actually give up their cars for a more expensive train travel that will also require locating parking in downtown traffic and locating ground transport on arrival at their destination city, for only a minor savings in time.

In the case of noise, the DEIS does not describe the actual dBA of the passenger train traveling at 80-110 mph or the associated locomotive. It does claim that a diesel train traveling at 50 mph will be about 88 dBA and a locomotive horn will be about 110 dBA. Without hard data, we can assume that a high speed train will exceed 100 dBA. Even removing the horn noise, the train itself will only be slightly quieter. All of these levels are in excess of local noise ordinances, which every other private business must abide. And in fact on I-95 roadway, the Department of Transportation requires sound mitigation to protect

homes and businesses impacted from the noise of cars traveling 55-70 mph on a smooth roadway. We should expect at a minimum the same noise protection through the rail corridor, or slower speeds.

Failure to properly analyze traffic congestion and safety concerns.

The current DEIS does not look at traffic or safety issues in my area, relying instead on the earlier EA. In Boynton beach, Delray Beach, Stuart, Jupiter and many other towns the FEC tracks run right through the middle of downtown. In the earlier EA, AAF looked not only at the interruption to local traffic due to the train passing, but also the queue interval. This was described as the time spent in a line of backed-up traffic after a train has passed. The EA found that during rush hour the queue interval resulted in a LOS factor F, the worst ranking for both passenger and freight trains. They then created a "weighted average" of the queue interval over the course of an hour, assuming 1 passenger train and 1 freight train per hour. By doing so, they were able to claim an average LOS of factor D or E, just barely acceptable. But of course, in reality, there will be 3 or 4 trains per hour. Using the queue data in the EA, this would result in 12-15 minutes of traffic delay per hour on average in more populated areas compared to the 2-4 minutes claimed in the DEIS.

This is important for police and emergency responders. There are no hospitals east of the FEC railway between West Palm beach and Boca Raton. There is only 1 fire/rescue station in Boynton Beach on the east side to serve several beachside communities. In our personal discussions with the Boynton Beach Fire rescue chief, the AAF project is a potential disaster waiting to happen in terms of EMS response time. Lives will be put at risk unless mitigation (such as an overpass) is planned. These fears are echoed in many communities. Yet the DEIS contains no interviews with EMS officials. And since a finding of "no impact" has been declared, there are no mitigation plans proposed.

On another safety note, AAF proposes to operate highly dangerous equipment through heavily populated neighborhoods with little or no security or safety precautions for the general public or wildlife. On the I-95 or Alligator Alley roadway, nearly every foot is protected with a chain link fence to deter wildlife or people from wandering onto the road. In contrast each year several dozen people die on the unprotected FEC tracks. This can only be expected to increase without mitigation. Any other private company operating such dangerous equipment would be required to provide at least basic protection. The FRA, an agency that claims dedication to safety, is requiring none.

Failure to analyze devastating economic impact on local communities.

It is taken as an article of faith that the AAF project will create jobs and millions of dollars for South Florida business. But in reality, with the exception of real estate development controlled by AAF in Miami, Ft. Lauderdale and West Palm Beach, there is very little projected benefit from this project to smaller communities. In fact, residents and businesses throughout the corridor will suffer tremendously and are already suffering now as plans develop. Within the past 6 months since AAF announced plans to

proceed aggressively, 17 businesses have left or closed operations in downtown Boynton Beach. This does not count over a dozen that left earlier in the year and another dozen of new retail space that has never been rented. Developers have pulled out of projects near the railroad or have demanded higher cash incentives from local governments to locate near the AAF tracks. This contrasts with full occupancy further west in Boynton Beach, more than 500 feet from the railway. In its EA, AAF claimed that growth in the corridor would increase at less than 1% per year for the next 20 years. They claimed that this is because the entire corridor is overbuilt with no room for expansion (obviously false) and that the area has shown negative growth for the past 5 years all the way from Miami to West Palm. Property values, rental value and taxable value all continue to drop directly because of the railroad plans. None of this was covered in the DEIS. For most of South Florida communities, this project is an unmitigated disaster.

In conclusion the most disturbing thing about the DEIS is the obvious way that the FRA is cheerleading for the private company All Aboard Florida. Rather than doing everything it can to protect the people of South Florida and taxpayers across the nation, the FRA has failed in its responsibility to act in a fair and responsible manner. We hope you will take these items into consideration and completely re-evaluate this project in the way that was required at the start.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Spotts", written in a cursive style.

Daniel and Janice Spotts,

Owners

Miami Aqua-culture, Inc.

THE BG GROUP, LLC

October 27, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

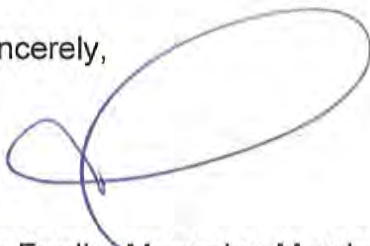
Dear Mr. Winkle:

Please accept this letter in support of the All Aboard Florida project. This new intercity, express passenger rail service will have significant economic benefits for the state of Florida through the creation of jobs, generation of economic impact and tax revenues and increased number of mobility options. The project is receiving international interest and positions Florida as a global competitor.

Although the system's current route is confined to central and south Florida, the economic benefits have statewide implications. The Draft Environmental Impact Statement states that All Aboard Florida is set to have \$6.4B in direct economic impact to Florida's economy over the next eight years and generate \$653M in federal, state, and local governments revenue through 2021. The project will create over 10,000 jobs on average per year through the rail line construction, and over 5,000 jobs on average per year after the rail line construction is completed through 2021.

All Aboard Florida underscores Florida's relevance as a mega-region and as the first private, intercity passenger rail system in the entire nation. Supporting this projects means supporting Florida's economy, creating of thousands of jobs, and improving the quality of life for our state's residents.

Sincerely,



Ivy Fradin, Managing Member
The BG Group, LLC

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. SE
Room W38-31
Washington, DC 20590

October 2, 2014

Dear Mr. Winkle,

The All Aboard Florida project would negatively impact a significant portion of Florida that would gain nothing from the project at all.

The negatives include:

- Increased traffic delays
- Traffic safety and public safety issues
- Emergency vehicle traffic delays
- Quality of life issues that would impact local economies

Please do what you can to prevent this from happening.

Public funding is not appropriate for this project. Similar projects were found to be not cost effective and were abandoned.

Sincerely,



Alexandra Z. Comer
8590 Germany Canal Road
Ft. Pierce, FL 34987

Normand and Veronica Blais
4108 Silverstone Drive
Fort Pierce, FL 34947

October 5, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue S.E. Room W38-31
Washington DC 20590

RE: IMPACT OF ALL ABOARD FLORIDA

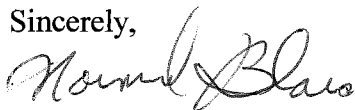
Mr. Winkle,

We are residents of the town of Fort Pierce, Florida and would like to make you aware of our very deep concerns for high-speed rail traffic all along the area known as the Treasure Coast.

1. **SAFETY:** This is terribly unsafe in these heavily populated towns. Please look at the accidents that have happened already with slow moving trains along our coast.
2. **ECONOMY:** This is not 1914 but 2014 people, small businesses, homes and business buildings have settled here, close to the tracks with no inkling that a high speed train would want to disrupt our way of life. Our new parking garage in town is within feet of the railroad tracks and any vibrations it will cause.
3. **ECONOMY:** The economical impact would be too great to allow this. The value to over 3,000 homes near the railroad tracks (that was mentioned in the report) would be devastating. We live 7 miles from the tracks in Fort Pierce and can hear the railroad horn blow when crossing the roads. Imagine living closer with several trains a day crossing. No one would want to buy those homes. Their value would plummet.
4. **QUALITY OF LIFE:** For our own situation, we settled here for our retirement years to a smaller town on the coast of Florida. That is what we were looking for, peace and quiet, and a place close to the water to go fishing and go to the beach. That is what most of our neighbors were looking for too. This high-speed train will ruin that for so many of us and we cannot afford to make any changes now.
5. **SAFETY & COSTS:** The railroad bridges over the water are too old for a high speed train so the reconstruction of those alone would be prohibitive and our boat traffic is another reason to not approve this travesty. Our boaters need to be considered as part of our economic welfare and their quality of life.
6. **We are not against progress,** we are against a few individuals making a profit at the expense of the greater population. We would not have any problem with this train being located west of the interstate and turnpike and not through our coastal towns.

Please consider these reasons and help us stop this poor excuse for progress. I would also respectfully like to suggest a slow train ride through the area to see for yourself the impact that will be felt.

Sincerely,



Normand and Veronica Blais





305 south andrews ave. suite 301
fort lauderdale, fl 33301

T 954.463.6574

F 954.463.8412

www.ddafl.org

October 27, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

As the Executive Director of the Downtown Development Authority, I would like to express my strong support for All Aboard Florida. The 235-mile system will utilize the existing 100+ year old existing Florida East Coast Railway corridor to connect Central and South Florida, generating billions of dollars in economic impact and resulting in tremendous benefits to the environment.

Florida is poised to welcome more than 100 million visitors this year and projected to become the third most populous state in the nation. We must introduce additional transportation options as more people visit and move to our state. As stated in the Draft Environmental Impact Statement, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach (and Miami) by providing potential customers with an alternative means of transportation."

All Aboard Florida will create over 10,000 jobs and generate \$653 million in federal, state, and local tax revenues. Specifically in Broward County, the project will create 488 rail line jobs; \$54.8 million in labor income; \$152.6 million in total economic impact; and \$15.6 million in federal, state, and local tax revenue.

This project will have many environmental benefits as well. According to the Draft Environmental Impact Statement, there will be "significant reduction in greenhouse gas emissions and fuel consumption" as a result of the project's implementation. All Aboard Florida will also "provide a net regional air quality benefit as compared to the No-Action Alternative."

For all of these reasons and more, I support All Aboard Florida and look forward to the overwhelming benefits our residents, businesses and tourists will reap as a result.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Wren', with a long horizontal flourish extending to the right.

Chris Wren
Executive Director

October 27, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I would like to express my strong support for All Aboard Florida. The project would re-establish passenger rail between two of the state's most congested, visited and populated regions. This new service would have beneficial social and economic impacts for the millions of residents that travel along the state's east coast.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove up to 3 million vehicles on the road per year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida, which are some of the most dangerous in the country, and result in increased productivity for train passengers. We need other transportation choices. In my review of the Draft Environmental Impact Statement, I found the following to be especially true, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach by providing potential customers with an alternative means of transportation."

The All Aboard Florida project represents a real solution to the transportation challenges in Florida. I cannot wait to get on board!

Sincerely,



Erik Neugaard
Fort Lauderdale, Florida

ONLY HELP MIAMI & ORLANDO
AREAS, AND ALL THE ATTRACTIONS
IN THIER AREAS!

PLEASE STOP THIS ALL ABOARD
FLORIDA IDEA IMMEDIATELY!
IT WILL HURT ALL THE ELDERLY
UP & DOWN THE COAST. WE HAVE
LIVED HERE FOR GENERATIONS AND

KNOW THIS IS THE WORST IDEA
ANYONE HAS EVER HAD, EXCEPT WHEN
SOMEONE DECIDED TO DIVERT THE KISSISSIM^U
^{POLITICIANS} RIVER FROM GOING SOUTH TO THE
EVERGLADES, NOW LOOK AT THE MESS.

SINCERELY,
CLYDE W. & MARGORIE YATES
10190-134th COURT
FELLSMERE, FL. 32948 / INDIAN RIVER CO.
772-571-0574

11-19-14

JOHN WINKLE

FEDERAL RAILROAD ADMINISTRATION

1200 NEW JERSEY AVE. S.E.

ROOM W 38-31

WASHINGTON, D.C. 20590

RE: ALL ABOARD FLORIDA

DEAR SIR;

PLEASE STOP THE ALL ABOARD
FLORIDA TRAINS. WE LIVE ON THE
CENTRAL EAST COAST (INDIAN RIVER CO)
OF FLORIDA. ALL THOSE TRAINS WOULD
BE CATASTROPHIC FOR THE EAST
COAST OF FLORIDA FROM PALM BEACH CO.
UP TO BREVARD COUNTY! HUNDREDS
OF PEOPLE IN OUR AREA ARE
AGAINST THIS IDEA! THIS WILL

All Aboard Florida Intercity Passenger Rail Project
Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Nov 25, 2014

Comments:

After reading the DEIS report and attending a public workshop, I accept the facts presented and feel it is time to go forth with this very worthwhile project.

I have been in favor of All Aboard Florida from the inception, gone to many of their meetings throughout the Treasure Coast and this final report simply reiterated my initial feelings.

I look forward to the day that I might be Aboard and the sooner, the better.

Respectfully,

Arleta Warner-Storck



All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	ANITA WARNER-STARCK
Address	12725 93 RD ST FELLSMERE FL 32948-5406
email	Please provide your email address if you would like to receive notification when the FEIS is available Quailxingkey@bellsouth.net

TRIED TO SEND VIA EMAIL, BUT HAD SOME PROBLEMS
AND NOT SURE WHY.
JUST SAYING, SO THAT IF IT DOES GO
THROUGH, YOU ARE AWARE.
THANKS.

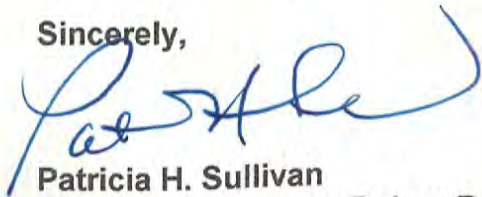
CC: Mr. John Wilkes
Federal Railroad Administration
1200 New Jersey Avenue SE
Room W38-311
Washington, DC 20590

To Whom It May Concern:

As an owner of property both in Delray Beach and Stuart, Florida that directly abut the railroad tracks where the All Aboard Florida train will run, I am **STRONGLY OPPOSED** to initiating this service. Currently with the trains that are now running, the train traffic is loud, the vibrations shake the buildings and the car track crossing is made difficult. To dramatically increase this traffic will negatively impact my property values and quality of life.

Furthermore, I have intelligent reservations whether the train service will be of substantial benefit in providing access to the Orlando area. The **'COST'** to our communities is too great!!!

Sincerely,



Patricia H. Sullivan
Astor Condominium Delray Beach, Florida
225 NE 1st St Unit 311
Delray Beach, FL 33444

975 Flagler Avenue Unit 402
Stuart, Florida 34994

Patricia.sullivan@gmail.com

561-350-9479

Monday, October 27, 2014

Federal Railroad Administration
1200 New Jersey Ave.S.E.
Room W38-311
Washington, D.C., 20590

Re: All Aboard Florida

Gentlemen,

This letter is sent to record my objection to the high speed rail program promulgated by All Aboard Florida. It must not be allowed to proceed.

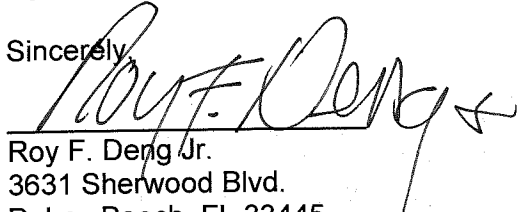
The fable of "THE KINGS NEW CLOTHES" lives again with All Aboard Florida. The promoters of this new fable want all of us to believe their fantasy by describing so called benefits without real proof that a need for a new passenger rail system exists. With competing transportation services of Amtrak, buses and private automobiles already existing, the ridership estimates are highly exaggerated and in a short time after its inauguration, the whole thing will collapse as a financial house of cards. Failure of Americas rail passenger service provides a historical record of what will happen. And then the junk bond holders will go screaming to the Federal Government to bail them out leaving American tax payers on the hook for billions.

In addition, there are other troublesome aspects of ABF's proposal:

- 1) This group has absolutely no experience in running a railroad. Rookies that have the ability to degrade public safety and economic viability are a hazard to us all.
- 2) Amtrak and the local TriRail service (between Miami and West Palm Beach) are very careful to reduce their speeds through local communities that run up the entire east coast of Florida. My observation here in Delray Beach is that they are traveling between 25-30 miles per hour to meet safety and passenger stop requirements. There is no way to let a high speed train run on the tracks on the east coast without closing all crossing gates for miles.
- 3) High speed trains running through congested urban and suburban communities pose an extreme risk for accidents. People know what to expect with the existing train traffic and still get killed at the crossings. Many more will die if a high speed rail system is allowed.
- 4) Communities such as Jupiter, Stuart, Jensen beach and others depend on coastal water ways to get to the Atlantic Ocean. Who will pay for upgrades to all of the low bridges and road work when the 32 trains per day clog boat traffic and vehicle traffic? Emergency responders have already registered potential delay times getting to hospitals.

Again, for the reasons noted above, All Aboard Florida must not be allowed to proceed.

Sincerely,


Roy F. Deng Jr.
3631 Sherwood Blvd.
Delray Beach, FL 33445

Mrs. Glenn W. Bailey
18 Shennamere Road
Darien, Connecticut 06820

Oct 6, 2014

Mr John Winkle

FRA

1200 New Jersey Ave SE

Rm W38-311

Washington DC 20590

Dear Mr Winkle:

I was so horrified at your
environmental study about
All Aboard Florida that I feel
obliged to write and suggest that
it is completely wrong. That
32 trains a day will be positive
in nature is absurd. The traffic
tie-ups, the interminable waits at
the crossings and bridges - it's
nightmarish to even think about.
Everytime we leave our island ^{Superior Island} ^{with} address
we go across a bridge and a

rail road track. To say nothing of the noise and the emissions from the waiting cars - I can't imagine how you drew the conclusions you did.

And that these people need Federal money (my taxes) to commit this outrage - I'm appalled.

I very much hope you will write a different report before this matter is settled.

Very truly yours
Cornelia T Bailey



**2014-2015
Board of Directors**

Chairman
Linda Knudsen
Chair-Elect
Wayne Eldred
Vice Chair
René Negrón
Vice Chair
Patrick O'Connell
Vice Chair
Martha de la Peña Rojas
Vice Chair
Nelson Peñalver
Vice Chair
Carolina Rendeiro
Vice Chair
Nicole Waters
Trustee Council
John Allen
Treasurer
Brian Barakat
Parliamentarian
Laura Russo
Past Chair
Perry Adair
Chairman's Appointee
Marianne Sioli

Directors
Thad Adams
Sarah Nesbitt Artecona
Nikki Deas
Amy Donner
George Feliciano, Jr.
Frank Fernandez
Ramon Ferrer
Andria Hanley
Raquel Hickey
Gail McQuilkin
Barbara Norland
Matthias Kammerer
John Knowles
Marti Mang
Martha Pantin
Al Peraza
Anabella Smith
Zachary Sulkes
Debra Tyler

Ex Officio
Board Members
Cindy Birdsill
Nelson Lazo
Abe Ng
Commissioner
Frank C. Quesada
Mary Snow

President & CEO
Mark A. Trowbridge

November 3, 2014

John Winkle
Transportation Industry Analyst
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

It is my pleasure to write you on behalf of Coral Gables Chamber of Commerce, whose mission is to foster and enhance the economic interests of the Coral Gables Community.

All Aboard Florida will provide an opportunity for relief of the growing challenges we face in mobilizing people to and from some of our most populous cities, including Miami. It will provide tourists, business and leisure travelers with a convenient, cost-effective travel solution.

Our Chamber has previously endorsed this project, and thus I wish to add our voice to the growing support of many Floridians who understand the importance of this project and what it means for Florida's economy: \$6.4 billion in direct economic impact over the next eight years; \$653 million in federal, state and local government tax revenue through 2021, over 10,000 jobs on average through rail line construction (mid 2014 – 2016), and over 5,000 jobs on average per year after rail line construction is completed through 2021.

As the initial stages of construction on the project begin, you can count on our Chamber to provide All Aboard Florida with any assistance. I take great pride in saying that the Coral Gables Chamber of Commerce is indeed ALL ABOARD.

Sincerely,

Mark A. Trowbridge
President & CEO

cc: Don Robinson
The Honorable Rick Scott
The Honorable Bill Nelson
Secretary Ananth Prasad, P.E.
Linda Knudsen, Chair of the Board
Fredric Ariola, Chair of Government Affairs

October 28, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or business in St Lucie County or the City of Fort Pierce.

Respectfully yours,

Robert DeSalvio
Eileen DeSalvio

David L. Dale
4701 S. Indian River Drive
Ft. Pierce, FL 34982

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E.
Room W38-31
Washington, DC 20590

Dear Mr. Winkle:

I attended the FRA meeting at the Port St. Lucie Civic Center on November 6th. First let me express my dismay at the way the meeting was structured. There was no opportunity to let others know my opinion except to put a piece of paper into a black box.

But the most revealing thing was that one could not tell the difference between FRA and AAF representatives. They both just touted the supposed benefits and downplayed the very real deficiencies of the plan. Very disappointing. At the least I had hoped that the FRA people would be neutral.

The damage to those of us who live in the affected areas (or should I say infected areas) is well known. The greatly increased noise, vibration and pollution, the delay in response time for ambulances and fire trucks, the drop in property values, the devastation to the vitally important marine industry, etc, etc.


In addition to these there is one other that has been largely overlooked and that is the danger to wildlife (the trains will pass through five preserves and state park refuges) both to their lives (they are accustomed to trains going 50 MPH, not 110 MPH) and to their breeding habits. Any wildlife biologist will testify that the vast increase in vibrations and noise will have a negative effect on breeding. This was completely glossed over.

The animal population in these preserves include a number of federally designated endangered and protected species such as the bald eagle, the scrub jay (about which the Audubon Society has already expressed concern), gopher tortoises, alligators and others possibly even including Florida panthers, of which there have been a number of credible sightings.

AAF may even be violating the federal laws that protect these species and if so the FRA will be complicit in this violation.

I urge you to reject the AAF application for the \$1.6 billion in taxpayer funds. To inflict this damage on us and then want us, as taxpayers, to pay for it surpasses all belief. This is akin to forcing prisoners to dig their own graves.

Sincerely;



David L. Dale

1701 Gulfstream Avenue
Apartment 723
Ft. Pierce, FL 34949
December 2, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE
Room W38-31
Washington, DC 20590

Re: Draft Environmental Impact Statement on All Aboard Florida

Dear Mr. Winkle,

I am writing to express the opposition of my family and me to the current plan by All Aboard Florida (AAF) to provide passenger train service between Miami and Orlando. Our concerns are many, including but not limited to: public safety, health, environmental, economic, navigation, marine industries, municipal budgets, noise/vibration, community cohesion, and quality of life.

We are well aware of the benefits of mass transit and support it as a way to ease our congested roads. That said, we do not support AAF as currently proposed. It offers nothing to the Treasure Coast. It won't ease congestion in our area, because AAF will travel through, but not stop, in this region. Flying through the Treasure Coast 32 times a day, AAF offers this region none of its services or benefits, but it requires that we absorb all of its harmful effects. Hundreds of thousands of people and the land on which they live and work get all of the negatives and none of the positives. That should not be allowed to take place. There are reasonable alternatives.

We live in Ft. Pierce, in an area that is on the east side of the tracks. Our citizens are mostly people of modest means. Many are elderly; many are minorities. They will not be able to utilize AAF, but they will have to absorb its negative effects. This is an old city that still has small businesses and residents housed in quaint, historic buildings surrounding the railroad tracks. They will be damaged. All of our public services, schools, shopping, etc. are located on the other side of the tracks. Our towns will be cut in half, with constant delays, inadequate crossings, and costly maintenance.

Although we are residents of Ft. Pierce, the above described factors will be present in the other counties around us who will have AAF rolling through, but not stopping for passengers or freight. Individuals who own homes or businesses in the area will see their property values plummet and business revenues decline. Tourism is a major factor here, but AAF will bring us no tourists.

In short, the disruption and environmental damage from AAF will have a huge negative impact on our people and the economy of the Treasure Coast. The draft Environmental Impact Statement (EIS) is incomplete, misleading, and ignores the facts about the negative effects of AAF on our region. If it is true that the report was funded by AAF, then its inadequacy comes as no surprise. In short, the decision-making process reflects a flawed system, in which it appears that the outcome is predetermined. This is unfortunate, as it results in public cynicism. A common view is: "Money talks. This is a done deal. Nobody cares about our region."

As for specific observations about the draft EIS, I incorporate by reference in this letter the various comments that have been already presented to you from the City of Fort Pierce, the County of St. Lucie, elected representatives and municipal authorities, as well as numerous civic organizations from across our region. Please consider my and their comments in preparing your final report.

There must be a better way to bring passenger train service to south and central Florida. There are reasonable alternatives that must be explored. As currently proposed, AAF is a bad deal for the Treasure Coast. It requires our region to absorb all of its negatives but receive none of its benefits. We are a large region with a large population. Please do not ignore us. Many unanswered questions remain. Please help us get the answers.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink that reads "Dan M. Cushman". The signature is written in a cursive, flowing style.

Dan M. Cushman

Diane Caldwell

November 9, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S. E.
Room W38-31
Washington, DC 20590

Dear Sir:

I am writing to express my concerns regarding the "All Aboard Florida" high speed railway project slated for deployment in my area in the near future.

I am concerned that trains traveling through the area at 110 MPH will pose a danger to the residents.

I am concerned that the 16 round trips (32 total speed throughs per day) will snarl traffic, and those of us who have to work for a living will spend our lives waiting for trains to finally go past. You say the inconvenience to auto traffic will be minimal. What if there is a breakdown? What if there is vandalism to the train tracks causing a derailment? The delays could be lengthy. Under the current train system, I have to wait 10 minutes for regular trains to go by. How long will I have to wait in the future? Will I have to pack a tent, sleeping bag, non-perishable food and emergency water just to make a trip from home to the mall in the next county?

I am concerned that emergency vehicles (police, fire, and ambulance) will not be able to assist those who are in need due to endless waiting for trains to get through town. How many people will die courtesy of the All Aboard Florida trains?

As far as the "homeland security" aspect of "All Aboard Florida", that is nonsense. If the people responsible for the security of the nation want to insure traffic flow through the state, and are concerned terrorists might attack I-95, the LAST place to put high speed rail is right next to I-95! Anyone with an ounce of sense would realize the best place to run this boondoggle of a train would be in the center of the state where it would only inconvenience the occasional cow, and some scrub palms trees.

The reaction to this dubious project might be more positive if there were ANY benefit accruing at all to the people living on the east coast of Florida whose lives, towns and roads are going to be demolished by the endless procession of 110 MPH trains.

We do not want these trains. Please do not bring them to Martin, St. Lucie, and Indian River Counties.

Thank you

Diane Caldwell

TO: Mr. John Winkle, Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

FROM: Amy Boyd
3790 Spinnaker Court Fort Pierce, FL 34946

It is not just a little problem of impatient "yachties" waiting. As illustrated by Barbara Cook, The St. Lucie River is not just another Florida river. It stands apart from the New River and Loxahatchee River and Miami River because it is not merely a vessel thoroughfare through some county roads. It is the equivalent of the Panama Canal for vessels transiting via the Okeechobee Waterway from the Atlantic Ocean to the Gulf of Mexico. Just as the Panama Canal is the only way to get from the Atlantic to the Pacific without going around notorious Cape Horn, the Okeechobee Waterway is the only way for vessels to transit from the Gulf of Mexico to the Atlantic Ocean without going south around the Florida Keys (for shallow-draft vessels) or Key West (for deep-draft vessels).

The railroad trestle across the St. Lucie River in Stuart is the motor vehicle equivalent of a traffic bottleneck closing Interstate 95, possibly for the majority of each daylight hour, considering All Aboard Florida plans of 32 transits per day, with most, if not all, during daylight hours. In its closed position, the trestle allows passage of boats that require clearance of less than of 6.2 feet, only the tiniest of boats. The trestle is not just another modern drawbridge. It is an ancient 100-year-old mechanism that opens and closes with the speed of a backward-facing turtle. It thus requires closures commencing well in advance of any approaching train, with sufficient advance time to alert and slow commercial barge traffic to complete passage prior to commencing its downward path. The Environmental Impact Statement says a closure cycle takes 15 minutes. That is not what I and others have measured, from red light to green light to coordination with opening the old Roosevelt vehicle bridge a few feet to the west of the trestle. Every time I have passaged the trestle, it takes 30 minutes to complete an open-and-close cycle, measured from the time the trestle red light heralds an approaching train, when vessels must halt their approach and when the old Roosevelt bridge tender will no longer open on request, including the time when the train passes sufficiently far to permit commencement of the closing process, to the time the green light once again allows passage of vessels and the old Roosevelt Bridge tender will once again open on request "after vehicle traffic clears".

The plan is for 32 All Aboard Florida mostly daylight-traveling trains. Add that to the current 22 freight trains. Even assuming all the freight trains travel at night (which they do not), at 30 minutes per event that is 16 hours when boat traffic cannot passage! That is more daylight hours than there are in December. That effectively closes down Florida's Panama Canal completely to the thousands of vessels that pass through the St. Lucie Lock on their passage from the Gulf of Mexico to the Atlantic Ocean. Those vessels include the new yachts that manufacturers bring to and from the boat shows in Miami, Ft. Lauderdale, St. Pete, Newport and beyond, the many commercial barges, the yachts of cruisers and snowbirds headed home or to the Bahamas or to the Gulf on their way to Mexico, Texas and other states north and west, as well as the many casual recreational local boaters who live on the west side of the trestle.

*It is not just about impatient yachties having to wait. **The Okeechobee Waterway is a lifeline for Florida vessels transiting between the Gulf and the Atlantic, a lifeline that All Aboard Florida threatens to choke to its waterway death.***

Sincerely,
Amy Boyd

117 South Indian River Lane
Fort Pierce, FL 34982
October 12, 2014

Dear Mr. John Winkle,

How can there be a honest, clean and believable - "Draft Environmental Impact Statement (DETS)" for All Aboard Florida. All Aboard Florida has picked the group and paid the people who will write the statement. There should have been an independent group, with no strings attached. Of course it is going to say what they "All Aboard Florida" want it to say. This additional R/R line will not only hurt our environment, but also hurt many of the citizens who live in the community, through which those tracks will so terrible violate. The loud noise and rumbling of the earth is a real violation of those small quite communities, there are a lot of better ways to spend our hard earned tax dollars. This just is not Right !!

Can you please help, do the right thing and don't allow them to get the 1.6 billion dollars of tax payer's money.

Keep it out of the political arena. Please.

Michael Shuff
(772) 359-6030

please contact anytime

November 10, 2014

John Winkle
Transportation Industry Analyst
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

It is my pleasure to write on behalf of the Greater Fort Lauderdale Alliance, the official public/private partnership for economic development in Broward County. Our mission is to focus on creating, attracting, expanding and retaining high-wage jobs and capital investment in our region, develop more vibrant communities, and improve the quality of life for our area's citizens.

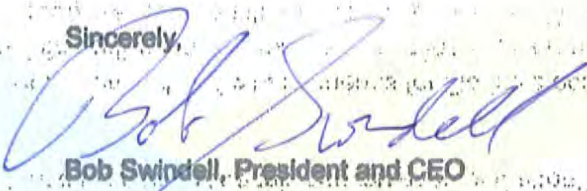
All Aboard Florida is a welcome relief to the growing challenges we face in mobilizing people to and from some of our most populous cities. It will provide tourists, business and leisure travelers alike with a convenient, cost-effective travel solution. The project will be able to move large numbers of people, reducing the need for additional automobiles on our already congested highways. We understand there are concerns in regard to boat traffic on the waterways that the All Aboard Florida trains will traverse, and we believe those concerns can be addressed and should be. We also understand there are concerns from residents along the corridor that should be taken into account as well, and we encourage this conversation and attention to their concerns that must be a vital part of the process.

We also understand the importance of this project and what it means for Florida's economy: \$6.4 billion in direct economic impact in the next 8 years; \$653 million in federal, state, and local government tax revenue through 2021, over 10,000 jobs on average through rail line construction (mid 2014 – 2016), and over 5,000 jobs on average per year after rail line construction is completed through 2021.

Therefore, I am writing to express support for the project and to offer any assistance the Alliance can provide in helping this project be a win for the residents and businesses of Florida.

With warm personal regards, I am

Sincerely,



Bob Swindell, President and CEO

cc: Don Robinson, All Aboard Florida

The Honorable Rick Scott

The Honorable Bill Nelson

Secretary Ananth Prasad, P.E.

Alliance: Partnership for Economic Growth

Broward County's Official Economic Development Partnership

www.gflalliance.org

10/27/2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I would like to express my strong support for All Aboard Florida. The project would re-establish passenger rail between two of the state's most congested, visited and populated regions. This new service would have beneficial social and economic impacts for the millions of residents that travel along the state's east coast.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove up to 3 million vehicles on the road per year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida, which are some of the most dangerous in the country, and result in increased productivity for train passengers. We need other transportation choices. In my review of the Draft Environmental Impact Statement, I found the following to be especially true, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach by providing potential customers with an alternative means of transportation."

The All Aboard Florida project represents a real solution to the transportation challenges in Florida. I cannot wait to get on board!

Sincerely,

Jeffrey A Pearson
Ft. Lauderdale, FL



November 7, 2014

Mr. John Winkle, Federal Railroad Administrator
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

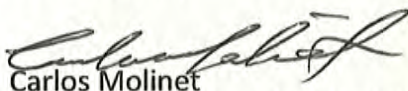
It is my pleasure to write on behalf of the GFLCVB, whose mission is to increase hotel room nights and economic development to the economy of Broward County.

I want to thank you for allowing our staff to learn more about All Aboard Florida and inviting us to witness the unveiling of the Fort Lauderdale train station.

The key to building a balanced transportation network rests in healthy intrastate cooperation. All Aboard Florida offers potential relief to the growing challenges we face in mobilizing people to and from our destination. It could provide tourists, business and leisure travelers alike a travel solution within Florida.

As the initial stages of construction begins, our industry wishes you great success as you resolve any remaining issues and move toward completion in 2021.

Best Regards,



Carlos Molinet
Sr. VP, Greater Fort Lauderdale Convention & Visitors Bureau



10/18/14

Mr John Winkles

I politely ask that you
reconsider putting more trains
thru my lovely, small town
of Fort Pierce

The tracks crisscross all thru
Fort Pierce and would heavily
impact Indian River Drive,
St. Lucie Village and many
other areas.

Our best asset is the
beaches and the only way
to reach them is over the
tracks at U.S. #1 and
Seaway

Please do not damage
our town. No A A F!

Sincerely,

Carol Yanaros

★ Carol Yanaros
1639 Thumb Point Dr
Fort Pierce, FL 34949 ★

OCT 5th 2014.

FREDDY SIEGWALT.
4317 GATOR TRACE DR.
FORT PIERCE FL 34982.

DEAR MR WINKLE,

AS A RESIDENT OF THE TREASURE
COAST SINCE 1975, I WOULD LIKE TO INFORM
YOU OF THE DISAPPOINTMENT FOR THE
"ALL ABOARD" TRAIN WITH NO STOP IN
THIS AREA, WITH A POPULATION OF ALMOST
750.000 PERSONS.

WE SHOULD HAVE AT LEAST ONE
STOP FOR THE TRICOUNTY (MARTIN,
ST LUCIE AND INDIAN RIVER). THE CITY
OF PORT ST LUCIE BY ITSELF HAS A
POPULATION OF OVER 180.000.

YOU ARE THE ONLY PERSON
WHO HAS THE POWER TO GET A STOP
IN THIS AREA. PLEASE CONSIDER IT.

Freddy Siegwalt.

10-2-14

To: John Winkle

Because of the negative impact of All ABOARD Florida, I am very concerned about our Treasure Coast Communities.

I live on S. Hutchinson Is. in St. Pierce and travel thru the Seaway R.R. crossing at U.S. 1 several times per day. Hearing that this crossing will be blocked a minimum of $11\frac{1}{2}$ min. per hour and perhaps more with added freight trains brings to reality just how terribly disruptive this will be to everyone in our community. We get to have the noise, environmental impact, traffic jams, fear of emergency vehicles being tied up, detrimental impact for boaters with the railroad bridge, devaluation of property, negative affects on downtown businesses including the Sunrise theatre - and for this we get to subsidize AAF with our tax dollars

and we get absolutely nothing in return. There will be no stops anywhere on the Treasure Coast. It is a no win situation. It is so invasive and contradictory to the community and all of us who live here. We are saddened as well as outraged that this might be allowed to go through. We feel "railroaded" by a railroad! It would make so much more sense to run the tracks beyond I-95 or the turnpike where there would be minimal impact. Lastly it would certainly be prudent to have the Environmental impact Report done by an independent rather than someone chosen by All Aboard Florida which is a total affront to those of us on the Treasure Coast. I hope that you will seriously consider my comments which are the views of thousands of people who reside on the Treasure Coast.

Thank you for taking time to read
this.

Sincerely,

Mrs. Kay Koch

501 Hernando St.

Fort Pierce, Fl. 34949

kaykoch@bellsouth.net

Mr Winkle

NO! NO! NO! to the
Ad Alward Trains along
the Treasure Coast. Send
them down the middle of
the state, with spurs east
or west, as appropriate

Rhoda B Jenkins



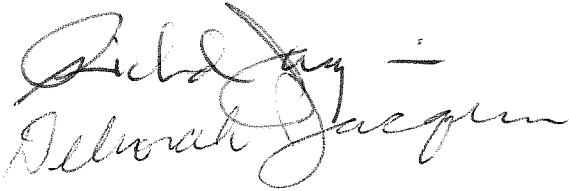
Rhoda B. Jenkins
1725 Mariners Cv Apt A.
Fort Pierce, FL 34950-6949

Message body

All Aboard Florida

As registered voters and residents of North Hutchinson Island we strongly protest the proposal of the passenger train service from Orlando to Miami there are only 2 ways off of our Island and 1 is a draw bridge that is very busy during all seasons there is no economic advantage for St Lucie County or the state as most if not all passenger trains are subsidized by the federal government high speed trains of up to 100 mph traveling on dated tracks and rail beds only bring safety concerns, pollution and traffic jams I hope Floridas legislative leaders look long and hard at this proposal and vote NO

Sincerely
Richard and Deborah Jacquin
3210 So Lakeview Cir #206
Ft Pierce Florida 34949

Handwritten signatures of Richard and Deborah Jacquin. The signature for Richard is on top, and Deborah's is below it, both in cursive script.

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. SE
Room W38-31
Washington, DC 20590

October 2, 2014

Dear Mr. Winkle,

The All Aboard Florida project would negatively impact a significant portion of Florida that would gain nothing from the project at all.

The negatives include:

- Increased traffic delays
- Traffic safety and public safety issues
- Emergency vehicle traffic delays
- Quality of life issues that would impact local economies

Please do what you can to prevent this from happening.

Public funding is not appropriate for this project. Similar projects were found to be not cost effective and were abandoned.

Sincerely,



Alexandra Z. Comer
8590 Germany Canal Road
Ft. Pierce, FL 34987

Normand and Veronica Blais
4108 Silverstone Drive
Fort Pierce, FL 34947

October 5, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue S.E. Room W38-31
Washington DC 20590

RE: IMPACT OF ALL ABOARD FLORIDA

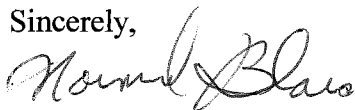
Mr. Winkle,

We are residents of the town of Fort Pierce, Florida and would like to make you aware of our very deep concerns for high-speed rail traffic all along the area known as the Treasure Coast.

1. **SAFETY:** This is terribly unsafe in these heavily populated towns. Please look at the accidents that have happened already with slow moving trains along our coast.
2. **ECONOMY:** This is not 1914 but 2014 people, small businesses, homes and business buildings have settled here, close to the tracks with no inkling that a high speed train would want to disrupt our way of life. Our new parking garage in town is within feet of the railroad tracks and any vibrations it will cause.
3. **ECONOMY:** The economical impact would be too great to allow this. The value to over 3,000 homes near the railroad tracks (that was mentioned in the report) would be devastating. We live 7 miles from the tracks in Fort Pierce and can hear the railroad horn blow when crossing the roads. Imagine living closer with several trains a day crossing. No one would want to buy those homes. Their value would plummet.
4. **QUALITY OF LIFE:** For our own situation, we settled here for our retirement years to a smaller town on the coast of Florida. That is what we were looking for, peace and quiet, and a place close to the water to go fishing and go to the beach. That is what most of our neighbors were looking for too. This high-speed train will ruin that for so many of us and we cannot afford to make any changes now.
5. **SAFETY & COSTS:** The railroad bridges over the water are too old for a high speed train so the reconstruction of those alone would be prohibitive and our boat traffic is another reason to not approve this travesty. Our boaters need to be considered as part of our economic welfare and their quality of life.
6. **We are not against progress,** we are against a few individuals making a profit at the expense of the greater population. We would not have any problem with this train being located west of the interstate and turnpike and not through our coastal towns.

Please consider these reasons and help us stop this poor excuse for progress. I would also respectfully like to suggest a slow train ride through the area to see for yourself the impact that will be felt.

Sincerely,



Normand and Veronica Blais





305 south andrews ave. suite 301
fort lauderdale, fl 33301

T 954.463.6574

F 954.463.8412

www.ddafl.org

October 27, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

As the Executive Director of the Downtown Development Authority, I would like to express my strong support for All Aboard Florida. The 235-mile system will utilize the existing 100+ year old existing Florida East Coast Railway corridor to connect Central and South Florida, generating billions of dollars in economic impact and resulting in tremendous benefits to the environment.

Florida is poised to welcome more than 100 million visitors this year and projected to become the third most populous state in the nation. We must introduce additional transportation options as more people visit and move to our state. As stated in the Draft Environmental Impact Statement, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach (and Miami) by providing potential customers with an alternative means of transportation."

All Aboard Florida will create over 10,000 jobs and generate \$653 million in federal, state, and local tax revenues. Specifically in Broward County, the project will create 488 rail line jobs; \$54.8 million in labor income; \$152.6 million in total economic impact; and \$15.6 million in federal, state, and local tax revenue.

This project will have many environmental benefits as well. According to the Draft Environmental Impact Statement, there will be "significant reduction in greenhouse gas emissions and fuel consumption" as a result of the project's implementation. All Aboard Florida will also "provide a net regional air quality benefit as compared to the No-Action Alternative."

For all of these reasons and more, I support All Aboard Florida and look forward to the overwhelming benefits our residents, businesses and tourists will reap as a result.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Wren', with a long horizontal flourish extending to the right.

Chris Wren
Executive Director

October 27, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I would like to express my strong support for All Aboard Florida. The project would re-establish passenger rail between two of the state's most congested, visited and populated regions. This new service would have beneficial social and economic impacts for the millions of residents that travel along the state's east coast.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove up to 3 million vehicles on the road per year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida, which are some of the most dangerous in the country, and result in increased productivity for train passengers. We need other transportation choices. In my review of the Draft Environmental Impact Statement, I found the following to be especially true, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach by providing potential customers with an alternative means of transportation."

The All Aboard Florida project represents a real solution to the transportation challenges in Florida. I cannot wait to get on board!

Sincerely,



Erik Neugaard
Fort Lauderdale, Florida

ONLY HELP MIAMI & ORLANDO
AREAS, AND ALL THE ATTRACTIONS
IN THIER AREAS!

PLEASE STOP THIS ALL ABOARD
FLORIDA IDEA IMMEDIATELY!
IT WILL HURT ALL THE ELDERLY
UP & DOWN THE COAST. WE HAVE
LIVED HERE FOR GENERATIONS AND

KNOW THIS IS THE WORST IDEA
ANYONE HAS EVER HAD, EXCEPT WHEN
SOMEONE DECIDED TO DIVERT THE KISSISSIM^{ING}
RIVER FROM GOING SOUTH TO THE
EVERGLADES, NOW LOOK AT THE MESS.

SINCERELY,
CLYDE W. & MARGORIE YATES
10190-134th COURT

FELLSMERE, FL. 32948 / INDIAN RIVER CO.
772-571-0574

11-19-14

JOHN WINKLE

FEDERAL RAILROAD ADMINISTRATION

1200 NEW JERSEY AVE. S.E.

ROOM W 38-31

WASHINGTON, D.C. 20590

RE: ALL ABOARD FLORIDA

DEAR SIR;

PLEASE STOP THE ALL ABOARD
FLORIDA TRAINS. WE LIVE ON THE
CENTRAL EAST COAST (INDIAN RIVER CO)
OF FLORIDA. ALL THOSE TRAINS WOULD
BE CATASTROPHIC FOR THE EAST
COAST OF FLORIDA FROM PALM BEACH CO.
UP TO BREVARD COUNTY! HUNDREDS
OF PEOPLE IN OUR AREA ARE
AGAINST THIS IDEA! THIS WILL

All Aboard Florida Intercity Passenger Rail Project
Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Nov 25, 2014

Comments:

After reading the DEIS report and attending a public workshop, I accept the facts presented and feel it is time to go forth with this very worthwhile project.

I have been in favor of All Aboard Florida from the inception, gone to many of their meetings throughout the Treasure Coast and this final report simply reiterated my initial feelings.

I look forward to the day that I might be Aboard and the sooner, the better.

Respectfully,

Carita Warner-Storck



All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vzb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	ANITA WARNER-STARCK
Address	12725 93 RD ST FELLSMERE FL 32948-5406
email	Please provide your email address if you would like to receive notification when the FEIS is available Quailxingkey@bellsouth.net

TRIED TO SEND VIA EMAIL, BUT HAD SOME PROBLEMS
AND NOT SURE WHY.
JUST SAYING, SO THAT IF IT DOES GO
THROUGH, YOU ARE AWARE.
THANKS.

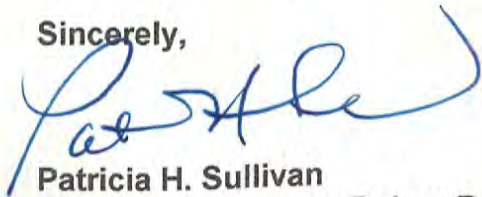
CC: Mr. John Wilkes
Federal Railroad Administration
1200 New Jersey Avenue SE
Room W38-311
Washington, DC 20590

To Whom It May Concern:

As an owner of property both in Delray Beach and Stuart, Florida that directly abut the railroad tracks where the All Aboard Florida train will run, I am **STRONGLY OPPOSED** to initiating this service. Currently with the trains that are now running, the train traffic is loud, the vibrations shake the buildings and the car track crossing is made difficult. To dramatically increase this traffic will negatively impact my property values and quality of life.

Furthermore, I have intelligent reservations whether the train service will be of substantial benefit in providing access to the Orlando area. The **'COST'** to our communities is too great!!!

Sincerely,



Patricia H. Sullivan
Astor Condominium Delray Beach, Florida
225 NE 1st St Unit 311
Delray Beach, FL 33444

975 Flagler Avenue Unit 402
Stuart, Florida 34994

Patricia.sullivan@gmail.com

561-350-9479

Monday, October 27, 2014

Federal Railroad Administration
1200 New Jersey Ave.S.E.
Room W38-311
Washington, D.C., 20590

Re: All Aboard Florida

Gentlemen,

This letter is sent to record my objection to the high speed rail program promulgated by All Aboard Florida. It must not be allowed to proceed.

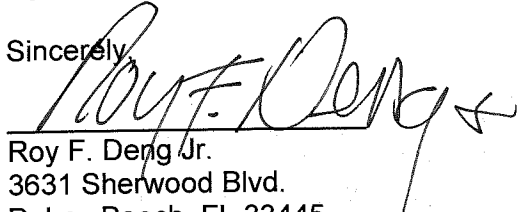
The fable of "THE KINGS NEW CLOTHES" lives again with All Aboard Florida. The promoters of this new fable want all of us to believe their fantasy by describing so called benefits without real proof that a need for a new passenger rail system exists. With competing transportation services of Amtrak, buses and private automobiles already existing, the ridership estimates are highly exaggerated and in a short time after its inauguration, the whole thing will collapse as a financial house of cards. Failure of Americas rail passenger service provides a historical record of what will happen. And then the junk bond holders will go screaming to the Federal Government to bail them out leaving American tax payers on the hook for billions.

In addition, there are other troublesome aspects of ABF's proposal:

- 1) This group has absolutely no experience in running a railroad. Rookies that have the ability to degrade public safety and economic viability are a hazard to us all.
- 2) Amtrak and the local TriRail service (between Miami and West Palm Beach) are very careful to reduce their speeds through local communities that run up the entire east coast of Florida. My observation here in Delray Beach is that they are traveling between 25-30 miles per hour to meet safety and passenger stop requirements. There is no way to let a high speed train run on the tracks on the east coast without closing all crossing gates for miles.
- 3) High speed trains running through congested urban and suburban communities pose an extreme risk for accidents. People know what to expect with the existing train traffic and still get killed at the crossings. Many more will die if a high speed rail system is allowed.
- 4) Communities such as Jupiter, Stuart, Jensen beach and others depend on coastal water ways to get to the Atlantic Ocean. Who will pay for upgrades to all of the low bridges and road work when the 32 trains per day clog boat traffic and vehicle traffic? Emergency responders have already registered potential delay times getting to hospitals.

Again, for the reasons noted above, All Aboard Florida must not be allowed to proceed.

Sincerely,


Roy F. Deng Jr.
3631 Sherwood Blvd.
Delray Beach, FL 33445

Mrs. Glenn W. Bailey
18 Shennamere Road
Darien, Connecticut 06820

Oct 6, 2014

Mr John Winkle

FRA

1200 New Jersey Ave SE

Rm W38-311

Washington DC 20590

Dear Mr Winkle:

I was so horrified at your
environmental study about
All Aboard Florida that I feel
obliged to write and suggest that
it is completely wrong. That
32 trains a day will be positive
in nature is absurd. The traffic
tie-ups, the interminable waits at
the crossings and bridges - it's
nightmarish to even think about.
Everytime we leave our island ^{Superior Island} ^{with} address
we go across a bridge and a

rail road track. To say nothing of the noise and the emissions from the waiting cars - I can't imagine how you drew the conclusions you did.

And that these people need Federal money (my taxes) to commit this outrage - I'm appalled.

I very much hope you will write a different report before this matter is settled.

Very truly yours
Cornelia T Bailey



December 2, 2014

BOARD OF DIRECTORS

PETER H. CONZE, JR.
President

LEONARD SUCSY
Vice President and Treasurer

GEORGE F. MACLEAN
Vice President and Secretary

DAVID A. BERENSON

GEORGE H. SHATTUCK, JR.

MERRILL S. SNYDER

ADVISORY BOARD

LLOYD L. BRUMFIELD

MAGGY HURCHALLA

WILLIAM L.G. LESTER

RUTH C. MEAD

DONNA S. MELZER

CHARLES G. PATTISON

NATHANIEL P. REED

F. ANTHONY ZUNINO

FOUNDER

BERNHARD M. AUER

Mr. John Winkle
Federal Railway Administration
1200 New Jersey Ave. SE, Room W38-311
Washington D.C. 20590
Subject: All Aboard Florida, Draft Environmental Impact Statement

Dear Mr. Winkle:

Please accept for consideration these comments regarding ecological components of the Draft EIS, which are provided on behalf of the Guardians of Martin County, a non-profit environmental conservation organization based in Martin County.

Our review of the DEIS and its appendices has revealed that, in spite of its heft, the DEIS is shockingly lacking in details regarding ecological impacts. The DEIS relies heavily on desk-top analyses and, in its current state, provides insufficient information on the extent of impacts on terrestrial and aquatic ecosystems and the federally-listed and state-listed flora and fauna which inhabit them. Perhaps the detail is lacking due to the DEIS being written at the time when engineering and construction plans were at the 30% design stage, but significantly more detail is warranted before the full impacts of the project can be determined. Areas of concern which are described in greater detail in the attached explanation, include:

- Impacts on threatened and endangered species and their habitats, including publicly-owned conservation lands;
- The inadequacy of the Alternatives Analysis;
- Impacts on wetlands, rivers and navigation; and
- Consistency with Martin County's Comprehensive Growth Management Plan

The inadequacies and inaccuracies in the DEIS must be addressed before the project can be evaluated.

• PROTECTING THE MARTIN COUNTY DIFFERENCE SINCE 2003 •

THEGUARDIANSOFMARTINCOUNTY.COM and SAVEMARTINNOW.COM

P.O. Box 1489, Hobe Sound, FL 33475 | (772) 546-7480

A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING 1-800-435-7352 WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL OR RECOMMENDATION BY THE STATE.

© 2013 THE GUARDIANS OF MARTIN COUNTY, A NOT-FOR-PROFIT 501(c)3 ENTITY.
REGISTRATION# CH30115

The Guardians of Martin County request that a second draft of the EIS be developed and published for public review and comment after comments on the DEIS are received and reviewed and updates made after the 90% design plans are integrated into the DEIS.

Thank you for your consideration, and please feel free to contact me if you or your staff have any questions regarding the information and details provided.

Sincerely,



D. Greg Braun
Certified Environmental Professional
Registration # 03040418
Science Advisor to the Guardians of Martin County

cc: Anthony.Foxx@dot.gov
AAF_comments@vhb.com
John.Winkle@dot.gov
Andrew.W.Phillips@usace.army.mil
David.Keys@noaa.gov
Evelyn.Smart@uscg.mil
Allan.Nagy@faa.gov
James.Christian@dot.gov
Benito.Cunill@dot.gov
Gavin.Jamesg@epa.gov
Mueller.Heinz@epa.gov
John_Wrublik@fws.gov
Charles_Kelso@fws.gov
CongressmanPatrick.Murphy@mail.house.gov
Bill@BillNelson.senate.gov
Rick.Scott@eog.myflorida.com
Negron.Joe.web@flsenate.gov
GHarrell@GayleHarrell.com
MaryLynn.Magar@myfloridahouse.gov

**Comments by the Guardians of Martin County on ecological components of the
Draft Environmental Impact Statement for the
All Aboard Florida Passenger Rail Project**

December 2, 2014

1.0 General Comments on the DEIS and Process

The Guardians of Martin County recognize the need to have a thorough, complete and independently-produced Environmental Impact Statement to serve as the basis for determining the environmental impact of any project. Our review of the DEIS for the All Aboard Florida passenger rail project is that, in spite of its heft, it is deficient in providing detailed assessment of existing conditions and is inadequate in determining the impacts of the proposed project.

In the following pages, numerous examples are provided of specific circumstances in which we have first-hand knowledge that far exceeds the information provided in the DEIS. Based on the gap between our knowledge of the local environment and the information that is presented in the DEIS, we can only assume that similar deficiencies exist for other counties through which the proposed project traverse. The following comments should therefore be taken as examples of the need to make wholesale and thorough updates to the DEIS.

It appears that the combination of the DEIS being written to 30% complete design plans and the analyses being primarily desk-top investigations have led to the release of a DEIS that lacks the detail necessary to accurately determine the impacts of the proposed project. We request that, upon completion of the current public comment period, the development of 90% complete design and the review of comments on the DEIS, a second draft of the EIS be developed and released for public review and comment. The current deficiencies are too far-ranging to allow for an accurate accounting of compliance with NEPA.

2.0 Impacts on Threatened Species, Endangered Species, and their Habitats

2.1 Flora

Over 50 plant species that are designated by the federal government and/or the State of Florida as Endangered or Threatened are documented to occur in Martin County (Table 2). Many of these occur in the scrub, scrubby flatwoods and wetlands habitats that exist along the existing FEC rail corridor. Detailed field surveys and mapping of listed endangered and threatened plant species is warranted due to the presence of existing native vegetative communities located within the existing rail corridor that is proposed to be widened.

The presence of the existing FEC railway presents a key issue in the management of several parcels of publicly-owned conservation lands in the Treasure Coast area, most notably Jonathan Dickinson State Park, Hobe Sound National Wildlife Refuge and the Savannas Preserve State Park. With the acknowledgment that ecosystems in Florida have evolved as the direct result of natural disasters, including fire and hurricanes, in general, land managers of these properties have done an excellent job in managing their acreage with the thoughtful use of fire as a management tool. Many individual endangered and threatened plants succumb to shading and competition from other species if land is protected from fire.

From 2010 through 2012, the Florida Department of Environmental Protection went through an intensive process to update the management plan for Jonathan Dickinson State Park (JDSP), culminating in the adoption of the updated plan in June 2012. A copy of the approved plan can be accessed at:

<http://www.dep.state.fl.us/parks/planning/parkplans/JonathanDickinsonStatePark.pdf>

The updated plan includes descriptions of notable flora and fauna, including threatened and endangered species. In recognition of the requirement to manage upland ecosystems using fire, the management plan separates the 11,000-acre property into approximately 100 management units and designates those units that are to be managed with fire (See Mgmt. Plan Table 1).

Because the existing single-rail FEC railway presently bisects Jonathan Dickinson and provides only one at-grade crossing, many of the management units necessarily abut the rail corridor. Smoke management is a key feature in applying fire as a management technique, and the presence of the existing railway at its present level of use already affects the ability of land managers to perform their duties.

A substantive omission in the DEIS is the lack of attention on the extent to which the proposed passenger rail project, with its 32 high-speed passages per day through the park will affect the ability of managers of conservation lands to continue to manage their properties with fire. Any reduction/restriction in the use of fire will adversely affect the populations of numerous fire-dependent threatened and endangered species. Considerable attention should be expended in the EIS in accurately identifying potential impacts and mitigating them to the greatest extent possible.

Because this omission has occurred in the DEIS at a property as substantial as 11,000-acre Jonathan Dickinson State Park, it appears that this issue has also not been addressed at other conservation lands through which the proposed passenger rail project traverses (e.g., Savannas Preserve State Park). The EIS should be revised to appropriately address the potential impacts of the project on land management activities at JDSP, the Savannas and all other public conservation lands through which it traverses.

A generalized fire management memorandum of understanding should be developed and used as template in coordinating with the owners/managers of conservation lands through which the rail corridor traverses.

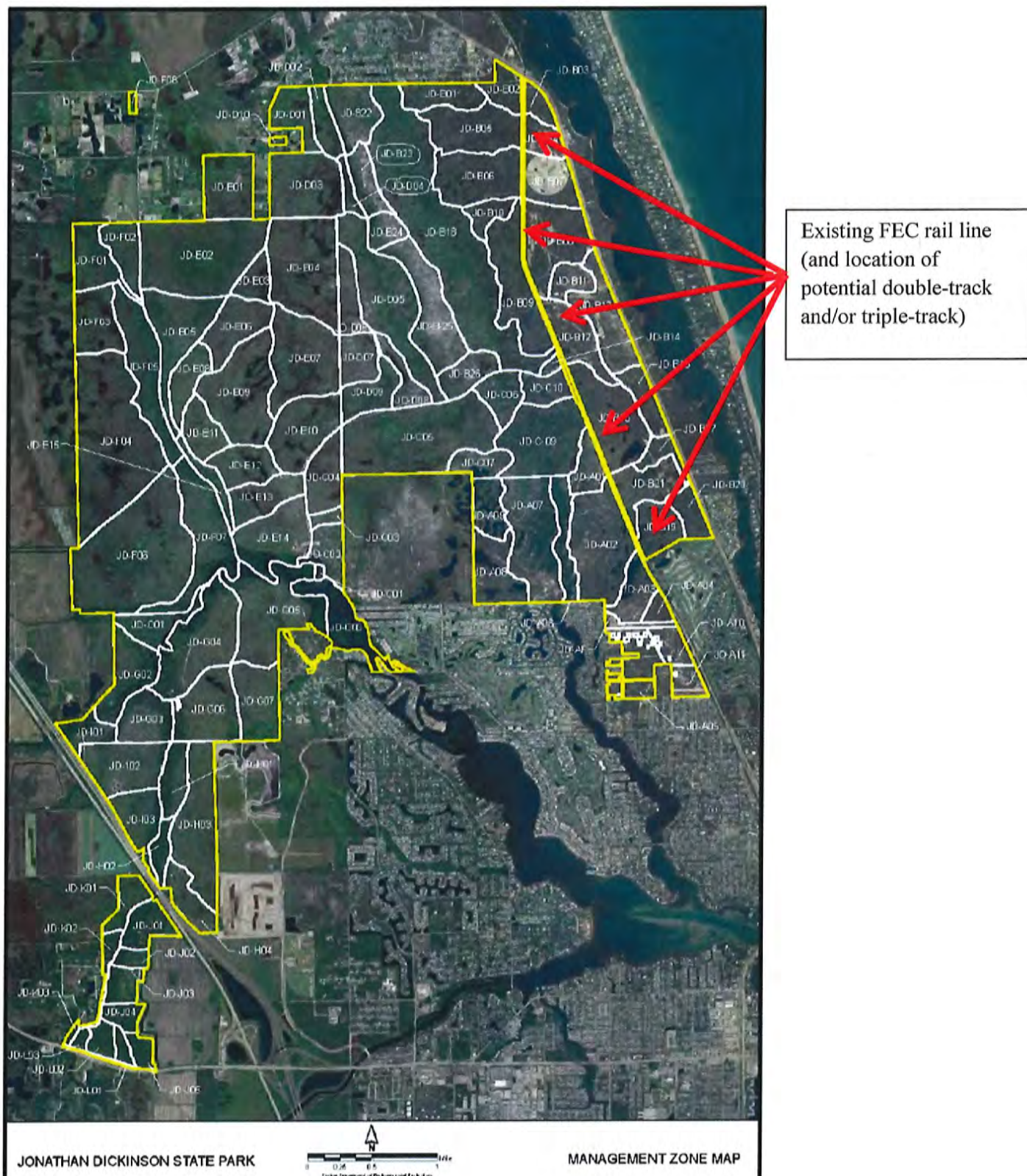


Figure 1: Jonathan Dickinson State Park Management Zone Map

Source: Jonathan Dickinson State Park Land Management Plan

Another example of the inadequacy of the DEIS analysis on ecological issues is its lack of attention to plant species such as the Perforate Reindeer Lichen (*Cladonia perforata*), a federally-listed endangered plant species whose presence was given scant mention in the DEIS. This species, which was designated by the federal government as Endangered in 1993, is merely mentioned in Section 5 – Environmental Consequences (P 5-114 “found adjacent to the railroad corridor”) and Table 4.3.6-3. In reality, the total world-wide population of this federally-designated Endangered Species is restricted to a few highly fragmented populations in four counties in Florida. Because the DEIS acknowledges that the majority of the work on ecological issues was a “desk-top assessment”, the extent to which populations of this species are being affected by the existing FEC railway, and the extent to which double-tracking, triple-tracking and the increased frequency of use might effect this species is entirely unknown.

The DEIS is similarly deficient in its lack of detail regarding the proximity of the existing rail corridor to individual *Asimina tetramera* plants, another federally-designated endangered plant species that is known to be present in the scrub community. The entire worldwide in-situ population of this species is restricted to Paola sand substrate in Martin and Palm Beach Counties, through which the rail project traverses. An accurate determination of the potential impact of the proposed rail project on this species cannot be determined based on the limited data provided in the DEIS. Issues regarding the abundance of this species, its spatial distribution in relation to the rail corridor, the effect of the proposed project on its pollinators and the extent to which the proposed rail project will affect movement of the fruits/seeds by the wildlife that consumes it, are examples of the level of detail that must be identified and addressed in the EIS in order to determine the potential impact on this endangered species.

Similarly, the DEIS provides insufficient information regarding the presence, abundance, spatial distribution and potential impacts on *Acanthocereus tetragonus*, the triangle cactus, a state-listed threatened species which is known to be present in close proximity to the existing FEC corridor in the Savannas Preserve State Park (a 5,400 acre facility that is not even mentioned in Section 4.3.5.2. regarding Preserves, Wildlife Sanctuaries and Wildlife Corridors). Neglecting to include a conservation parcel that extends for approximately 10 miles from Jensen Beach to Fort Pierce, and through which the existing railway traverses, provides insight into the lack of thoroughness in the DEIS. In a situation that parallels the inadequacies of the DEIS in dealing with scrub management in JDSP, it is apparent that authors of the DEIS failed to consult managers at the Savannas and/or to familiarize themselves with the content of the approved management plan for this conservation property.

Detailed field surveys are warranted for all federally-listed and state-listed threatened and endangered species that occur in the vicinity of the proposed project – without the results of these surveys, potential impacts cannot be accurately identified, site-specific avoidance and mitigation alternatives cannot be identified and appropriate monitoring protocols cannot be established.

2.2 Fauna

A related oversight in the DEIS is the lack of thorough treatment of the potential impacts of the proposed rail project on scrub-dependent animal species, including Florida Scrub-jays, gopher tortoises and gopher frogs.

The information contained in Appendix 4-3 indicates that desktop and field surveys have been conducted for some species (e.g., scrub-jays). The DEIS fails, however, to identify the extent to which the proposed project will affect this species, other than saying that the US Fish and Wildlife Service has been convinced by AAF representatives that the project will not adversely affect them. Detailed surveys for Scrub-jays that have been conducted at Jonathan Dickinson State Park at a substantially higher level of intensity than those that were done by AAF's consultant clearly show that the existing FEC railway bisects the home range territory of several families of scrub-jays at JDSP (Figure 2).

Failure to analyze the extent to which adding additional lanes of track and/or adding 32 high-speed train passages per day through an individual jay clan's territory renders the Environmental Impact un-supportable by facts and inconsistent with the intent and goals of the National Environmental Policy Act.

The DEIS includes information that scrub-jays responded to play-back calls by flying across the existing railway corridor and that the approach of an on-coming train caused scrub-jays to take evasive action. The DEIS fails to identify and evaluate the extent to which the increase in frequency of use of the railway, the potential double-tracking and/or triple tracking through JDSP and the approach of high-speed trains will affect scrub jays. It is suspected that construction and operation of the proposed project will result in reduced scrub-jay nest productivity and potential abandonment of some home range territories in JDSP, but the absence of detail in the DEIS prevents the potential impacts on this species from being fully known.

Simultaneously, the DEIS is deficient in its treatment of Scrub-jays in the vicinity of Seabranh Preserve State Park in east-central Martin County. Scrub-jays were documented by state park biologists to occur at Seabranh during surveys in 2014, and it is likely that the home-range territory of the jays at Seabranh includes the golf course at Mariner Sands, a residential golf-course community which is located to the west of the existing FEC rail corridor. The extent to which the proposed project will create a barrier to scrub-jay movement between Seabranh and Mariner Sands cannot be determined based on the total absence of information on this topic in the DEIS.

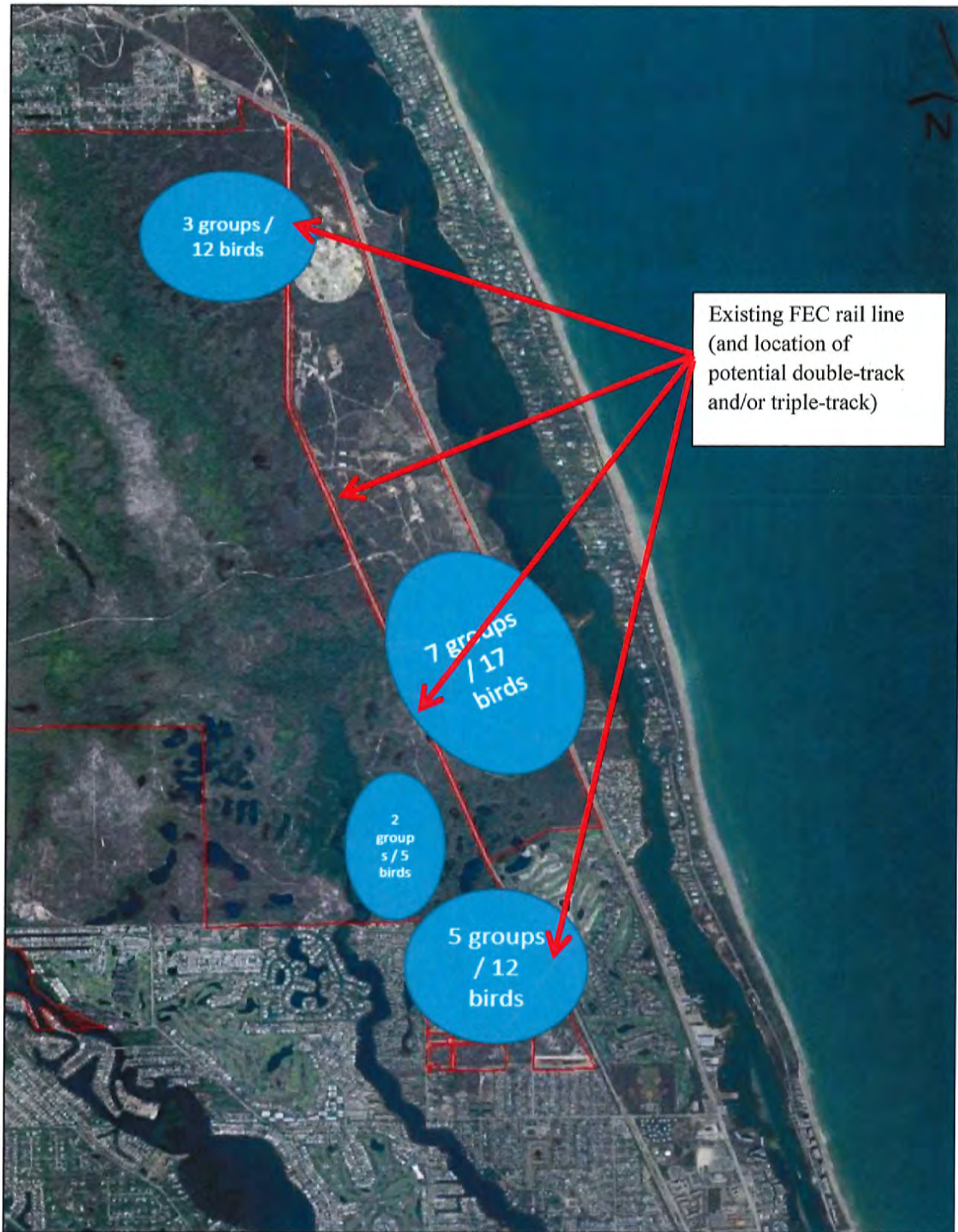


Figure 2 – Results of 2014 Scrub-jay surveys at Jonathan Dickinson State Park

Base map source: Florida Department of Environmental Protection; rail location identified for clarity

The results of detailed scrub-jay surveys are available for conservation lands in addition to JDSP and Seabrook Preserve State park (e.g., Savannas Preserve State Park, preserves in Indian River County). Prior to release of the final EIS, comprehensive scrub-jay data must be obtained and analyzed in order to accurately assess impacts, identify potential avoidance and minimization techniques (e.g., reduced train speeds where jay territories are traversed). Only after these steps are completed can site-appropriate monitoring protocols be identified.

Gopher Tortoises and their Commensals

The DEIS is similarly unacceptably deficient in its presentation and discussion of gopher tortoises, a reptile that is designated by the State of Florida as a threatened species. Without field surveys for this species having been conducted, the magnitude of potential impact of the proposed project on this species is unclear. The DEIS does not even provide an order of magnitude estimate of numbers of this species that will be affected – dozens, hundreds, or thousands along the full route of the proposed project?

The obvious need for this type of information is in order to accurately determine the locations, frequency, placement and design of wildlife crossings. The absence of data in this regard has resulted in the preposterous determination that no wildlife crossings are proposed or warranted anywhere along the 195-mile north-south stretch of proposed project.

The existing FEC rail corridor presently poses an obstacle to the movement of gopher tortoises and other species, most notably in areas where the railway bisects conservation properties. To eliminate or reduce railway-related mortality of gopher tortoises and other wildlife, wildlife underpasses and/or crossings are necessary. Numerous studies have shown the effectiveness of wildlife underpasses in preventing wildlife mortality and allowing movement of wildlife across transportation corridors. The locations, sizes, frequency and design of both the crossings and any necessary exclusionary fencing can only be determined after thorough wildlife surveys have been conducted. Upon completion of detailed wildlife surveys, revised plans that show the locations and design specifications of wildlife crossings and exclusionary fencing and/or other mortality-reducing alternatives should be provided, analyzed in the EIS and opened for public review and comment.

The burrows of gopher tortoises are well-known for the habitat they provide for a myriad of other wildlife, including federally-listed species (e.g., indigo snakes), state-listed species (e.g., gopher frogs) and non-listed species (e.g., opossums). Failure of the DEIS to accurately assess the impact of the project on gopher tortoises necessarily results in the failure to accurately assess the potential impact of the project on commensals. Application of the Eastern Indigo Snake key to determine the degree of effect is inappropriate until more thorough wildlife surveys, habitat mapping and wildlife hazard mitigation options are identified and evaluated. Analysis of impacts on gopher frogs is particularly warranted in conservation areas where the existing rail corridor separates seasonally-used habitats (i.e., posing a potentially fatal obstacle for the movement of gopher frogs from dry-season habitat in tortoise burrows to rainy-season ponds and wetlands).

The descriptions above highlight specific examples in which the DEIS is woefully deficient and inadequate in the level of detail that is needed in order to accurately assess the ecological impacts of the proposed project. The same lack of detail is apparent in the treatment of several other federally-listed and state-listed threatened and endangered species. The final EIS should not be produced and available for public comment until 90% complete engineering design plans and thorough field surveys for listed species have been completed.

3.0 Inadequacy of the Alternatives Analysis

The level of detail provided for the various east-west alternatives is warranted for several alternate north-south routes. Minor variations in the comparatively short east-west leg do not constitute acceptable alternative alignments for the project. The descriptions of the screening processes appear to have been contrived in order to creatively dismiss the need to fully evaluate other options that could be feasible. Options that should be fully evaluated include:

- Co-location within the existing I-95 and Turnpike corridors, including, if necessary, options for elevated service to prevent at-grade crossings;
- Co-location within the existing 500 kV aerial electrical utility corridor from Martin County to near Orlando International Airport; and
- The existing interior-Florida CSX railway which avoids urban east-coast communities from Martin through Brevard Counties.

4.0 Impacts on Wetlands, Rivers and Navigation

The Guardians are concerned that the DEIS inadequately addresses avoidance, minimization and mitigation for impacts to wetlands, rivers and navigation.

While the attempt to develop a DEIS in response to 30% complete design plans may have been a creative way to jump-start the agency review process, in actuality, doing so has revealed the inadequacies that are inherently associated with identifying impacts of a moving target.

Specific examples are the lack of adequate detail related to the impacts to wetlands and threatened and endangered species of double-tracking and potentially triple tracking portions of the existing railway and unknowns regarding “smoothing out” curves that may be too sharp to safely transit at high speeds. The DEIS is unclear, and personal communication with an AAF representative at the “open house” hearing failed to clarify the extent to which the construction of additional tracks within the existing railway corridor would require fill into wetlands at locations where the existing railway was built on/over wetlands.

One specific example of this situation is provided in Figure 3. At the location shown in southern Martin County, the existing FEC railway corridor was laid out and built in such a way that it traverses several previously-existing wetlands.



Existing FEC rail line
(and location of
potential additional
tracks)

Wetlands that have
already been adversely
affected by the
construction and
operation of the existing
rail corridor.

Because the existing
wetlands abut the rail
corridor, any widening
or addition of tracks
would likely impact
wetlands, an issue that is
not addressed in the
DEIS or Corps of
Engineers application.

Without regard to the
extent that additional
wetlands might be
impacted, detailed
analyses & corrective
action is warranted at
locations where natural
hydrologic conditions
have been adversely
affected.

Base Map: Results of 2014 Jaywatch Monitoring for Scrub Jays at Jonathan Dickinson State Park

Source: Florida Department of Environmental Protection

Location of existing railway identified for clarity and relevance

Although the width of the railway corridor at this location is unclear based on the information contained in the DEIS, this location is one example of many along the route where wetlands abut the rail corridor on both sides. Details should be provided in the EIS that show the extent to which there will be land clearing and/or impacts to wetlands at locations where additional tracking (i.e., double-tracking, triple tracking and/or sidings) is proposed.

Regardless of the extent to which the proposed project will result in new impacts to wetlands, sufficient engineering and hydrological analyses are necessary to determine the locations where the existing railway corridor has adversely affected localized hydrologic conditions. Rather than buying mitigation credits at some remote wetland mitigation bank, wetland mitigation should be conducted at locations along the route in order to offset unavoidable impacts.

Water quality in the Indian River Lagoon (IRL) has deteriorated as a direct result of human-related impacts. Much of the AAF route is within the IRL watershed, but the location of the wetlands bank that would be used for mitigation is not revealed in the DEIS. FRA and the Corps should require that all wetland mitigation for the AAF project be performed within the same drainage basins as the wetland impacts. Impacting wetlands within the IRL watershed and mitigating those losses by purchasing wetland mitigation credits outside the IRL drainage basin leaves the IRL with a net adverse impact.

Impacts on rivers and navigation

The Guardians of Martin County are concerned that the DEIS inadequately addresses potential impacts on rivers and navigation. Various studies have shown that train noise and vibration have effects outside of railway corridors. The DEIS fails to evaluate the extent of adverse impacts on aquatic biota, such as the extent to which the life cycles of aquatic organisms will be altered by the passage of 32 high-speed passenger trains and the anticipated increase in freight trains.

The DEIS also fails to provide information regarding hurricane/emergency preparedness and evacuation plans. The simulation provided at the DEIS hearing regarding the movement of vessels surrounding bridge openings is not based on actual conditions. The Okeechobee Waterway is a key navigational pathway for cross-Florida vessel movement and for residents of eastern Martin County who prepare for hurricanes by moving their vessels to narrow creeks located west of the FEC railway bridge that spans over the St. Lucie River. The age of that span, coupled with its low vertical clearance, and narrow navigation pathway all point to that location being a critical navigation bottleneck, particularly during periods of high winds, when the bridge may need to be in the down position due to safety concerns.

5.0 Consistency with Martin County's Comprehensive Plan

A key element in education and advocacy of the Guardians of Martin County is support for Martin County's Comprehensive Growth Management Plan (CGMP or "Comp Plan").

The County has adopted two Policies that are directly related to providing passenger rail service options for its residents. Specifically:

Policy 5.5E.2. Encourage passenger rail service. The County should encourage passenger rail service to Indiantown and Stuart, including Amtrak and Tri-rail, and shall explore all possible financial and political means to implement this policy.

Policy 5.5E.3. Encourage commuter and inter-city rail. The County shall continue to participate with state, regional and local agencies to encourage the establishment of commuter rail and intercity travel in Martin County.

It is unfortunate that AAF has proposed a project that is not consistent with either of these Comp Plan policies. As with other Treasure Coast counties, the AAF proposal results in a myriad of adverse impacts (i.e., ecological, social, financial, navigational, etc.) and no tangible benefits.

6.0 Corrective Actions Recommended

To transform the project into an initiative that could possibly be embraced by The Guardians and the community as an amenity, the following actions are recommended:

- 1) Re-negotiation of the right-of-way agreements to ensure that tax-payer funds are not used to benefit the private, for-profit rail business;
- 2) Conducting detailed floral and faunal studies and mitigating unavoidable impacts through the installation of wildlife crossings and underpasses to result in no net adverse ecological impacts;
- 3) Siting, constructing and operating a community-friendly depot at a suitable location where Martin County residents have access to scheduled commuter rail service to Orlando, West Palm Beach, Ft Lauderdale and Miami; and
- 4) Implementing replacement or improvements to the railway bridge over the St. Lucie River to prevent it from becoming a critical bottleneck for navigation and evacuation.

In its current version, the DEIS does not meet NEPA requirements and is too lacking in details for ecological impacts to be accurately identified and mitigated.

Endangered and Threatened Plant Species found in Martin County, FL

<i>Pecluma dispersa</i>	WIDESPREAD POLYPODY; WIDESPREAD ROCKCAP FERN	FL - Endangered
<i>Pecluma plumula</i>	PLUME POLYPODY; PLUMED ROCKCAP FERN	FL - Endangered
<i>Pecluma ptilota</i> var. <i>bourgeauana</i>	COMB POLYPODY; SWAMP PLUME POLYPODY; PALMLEAF ROCKCAP FERN	FL - Endangered
<i>Peperomia humilis</i>	LOW PEPEROMIA	FL - Endangered
<i>Pinguicula caerulea</i>	BLUEFLOWER BUTTERWORT	FL - Threatened
<i>Pinguicula lutea</i>	FLOWERED BUTTERWORT	FL - Threatened
<i>Pithecellobium keyense</i>	FLORIDA KEYS BLACKBEAD	FL - Threatened
<i>Pogonia ophioglossoides</i>	ORCHID	FL - Threatened
<i>Polygala smallii</i>	SMALL'S MILKWORT; TINY POLYGALA	FL - Endangered
<i>Polystachya concreta</i>	GREATER YELLOWSPIKE ORCHID; PALE-FLOWERED POLYSTACHYA	FL - Endangered
<i>Prosthechea boothiana</i> var. <i>erythronioides</i>	DOLLAR ORCHID	FL - Endangered
<i>Scaevola plumieri</i>	GULLFEED	FL - Threatened
<i>Spiranthes laciniata</i>	LACELIP LADIESTRESSES	FL - Threatened
<i>Spiranthes lucayana</i>	FLORIDA KEYS LADIESTRESSES; GRAY LADIESTRESSES; FT. GEORGE LADIESTRESSES	FL - Endangered
<i>Tectaria heracleifolia</i>	BROAD HALBERD FERN	FL - Threatened
<i>Thelypteris reticulata</i>	LATTICE-VEIN FERN	FL - Endangered
<i>Thelypteris serrata</i>	TOOTHED LATTICE-VEIN FERN; DENTATE LATTICE-VEIN FERN	FL - Endangered
<i>Tillandsia balbisiana</i>	NORTHERN NEEDLELEAF	FL - Threatened
<i>Tillandsia fasciculata</i>	CARDINAL AIRPLANT; COMMON WILD PINE; STIFF-LEAVED WILD PINE	FL - Endangered
<i>Tillandsia utriculata</i>	GIANT AIRPLANT; GIANT WILD PINE	FL - Endangered
<i>Tolumnia bahamensis</i>	VARIEGATED ORCHID; ANGELITA; DANCINGLADY ORCHID	FL - Endangered
<i>Vanilla mexicana</i>	MEXICAN VANILLA; FUCHS' VANILLA; UNSCENTED VANILLA	FL - Endangered
<i>Zephyranthes simpsonii</i>	SIMPSON'S ZEPHYRLILY	FL - Threatened



December 2, 2014

BOARD OF DIRECTORS

PETER H. CONZE, JR.
President

LEONARD SUCSY
Vice President and Treasurer

GEORGE F. MACLEAN
Vice President and Secretary

DAVID A. BERENSON

GEORGE H. SHATTUCK, JR.

MERRILL S. SNYDER

ADVISORY BOARD

LLOYD L. BRUMFIELD

MAGGY HURCHALLA

WILLIAM L.G. LESTER

RUTH C. MEAD

DONNA S. MELZER

CHARLES G. PATTISON

NATHANIEL P. REED

F. ANTHONY ZUNINO

FOUNDER

BERNHARD M. AUER

Mr. John Winkle
Federal Railway Administration
1200 New Jersey Ave. SE, Room W38-311
Washington D.C. 20590
Subject: All Aboard Florida, Draft Environmental Impact Statement

Dear Mr. Winkle:

Please accept for consideration these comments regarding ecological components of the Draft EIS, which are provided on behalf of the Guardians of Martin County, a non-profit environmental conservation organization based in Martin County.

Our review of the DEIS and its appendices has revealed that, in spite of its heft, the DEIS is shockingly lacking in details regarding ecological impacts. The DEIS relies heavily on desk-top analyses and, in its current state, provides insufficient information on the extent of impacts on terrestrial and aquatic ecosystems and the federally-listed and state-listed flora and fauna which inhabit them. Perhaps the detail is lacking due to the DEIS being written at the time when engineering and construction plans were at the 30% design stage, but significantly more detail is warranted before the full impacts of the project can be determined. Areas of concern which are described in greater detail in the attached explanation, include:

- Impacts on threatened and endangered species and their habitats, including publicly-owned conservation lands;
- The inadequacy of the Alternatives Analysis;
- Impacts on wetlands, rivers and navigation; and
- Consistency with Martin County's Comprehensive Growth Management Plan

The inadequacies and inaccuracies in the DEIS must be addressed before the project can be evaluated.

★ PROTECTING THE MARTIN COUNTY DIFFERENCE SINCE 2003 ★

THEGUARDIANSOFMARTINCOUNTY.COM and SAVEMARTINNOW.COM

P.O. Box 1489, Hobe Sound, FL 33475 | (772) 546-7480

A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING 1-800-435-7352 WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL OR RECOMMENDATION BY THE STATE.

© 2013 THE GUARDIANS OF MARTIN COUNTY, A NOT-FOR-PROFIT 501(c)3 ENTITY.

REGISTRATION# CH30115

The Guardians of Martin County request that a second draft of the EIS be developed and published for public review and comment after comments on the DEIS are received and reviewed and updates made after the 90% design plans are integrated into the DEIS.

Thank you for your consideration, and please feel free to contact me if you or your staff have any questions regarding the information and details provided.

Sincerely,



D. Greg Braun
Certified Environmental Professional
Registration # 03040418
Science Advisor to the Guardians of Martin County

cc: Anthony.Foxx@dot.gov
AAF_comments@vhb.com
John.Winkle@dot.gov
Andrew.W.Phillips@usace.army.mil
David.Keys@noaa.gov
Evelyn.Smart@uscg.mil
Allan.Nagy@faa.gov
James.Christian@dot.gov
Benito.Cunill@dot.gov
Gavin.Jamesg@epa.gov
Mueller.Heinz@epa.gov
John_Wrublik@fws.gov
Charles_Kelso@fws.gov
CongressmanPatrick.Murphy@mail.house.gov
Bill@BillNelson.senate.gov
Rick.Scott@eog.myflorida.com
Negron.Joe.web@flsenate.gov
GHarrell@GayleHarrell.com
MaryLynn.Magar@myfloridahouse.gov

**Comments by the Guardians of Martin County on ecological components of the
Draft Environmental Impact Statement for the
All Aboard Florida Passenger Rail Project**

December 2, 2014

1.0 General Comments on the DEIS and Process

The Guardians of Martin County recognize the need to have a thorough, complete and independently-produced Environmental Impact Statement to serve as the basis for determining the environmental impact of any project. Our review of the DEIS for the All Aboard Florida passenger rail project is that, in spite of its heft, it is deficient in providing detailed assessment of existing conditions and is inadequate in determining the impacts of the proposed project.

In the following pages, numerous examples are provided of specific circumstances in which we have first-hand knowledge that far exceeds the information provided in the DEIS. Based on the gap between our knowledge of the local environment and the information that is presented in the DEIS, we can only assume that similar deficiencies exist for other counties through which the proposed project traverse. The following comments should therefore be taken as examples of the need to make wholesale and thorough updates to the DEIS.

It appears that the combination of the DEIS being written to 30% complete design plans and the analyses being primarily desk-top investigations have led to the release of a DEIS that lacks the detail necessary to accurately determine the impacts of the proposed project. We request that, upon completion of the current public comment period, the development of 90% complete design and the review of comments on the DEIS, a second draft of the EIS be developed and released for public review and comment. The current deficiencies are too far-ranging to allow for an accurate accounting of compliance with NEPA.

2.0 Impacts on Threatened Species, Endangered Species, and their Habitats

2.1 Flora

Over 50 plant species that are designated by the federal government and/or the State of Florida as Endangered or Threatened are documented to occur in Martin County (Table 2). Many of these occur in the scrub, scrubby flatwoods and wetlands habitats that exist along the existing FEC rail corridor. Detailed field surveys and mapping of listed endangered and threatened plant species is warranted due to the presence of existing native vegetative communities located within the existing rail corridor that is proposed to be widened.

The presence of the existing FEC railway presents a key issue in the management of several parcels of publicly-owned conservation lands in the Treasure Coast area, most notably Jonathan Dickinson State Park, Hobe Sound National Wildlife Refuge and the Savannas Preserve State Park. With the acknowledgment that ecosystems in Florida have evolved as the direct result of natural disasters, including fire and hurricanes, in general, land managers of these properties have done an excellent job in managing their acreage with the thoughtful use of fire as a management tool. Many individual endangered and threatened plants succumb to shading and competition from other species if land is protected from fire.

From 2010 through 2012, the Florida Department of Environmental Protection went through an intensive process to update the management plan for Jonathan Dickinson State Park (JDSP), culminating in the adoption of the updated plan in June 2012. A copy of the approved plan can be accessed at:

<http://www.dep.state.fl.us/parks/planning/parkplans/JonathanDickinsonStatePark.pdf>

The updated plan includes descriptions of notable flora and fauna, including threatened and endangered species. In recognition of the requirement to manage upland ecosystems using fire, the management plan separates the 11,000-acre property into approximately 100 management units and designates those units that are to be managed with fire (See Mgmt. Plan Table 1).

Because the existing single-rail FEC railway presently bisects Jonathan Dickinson and provides only one at-grade crossing, many of the management units necessarily abut the rail corridor. Smoke management is a key feature in applying fire as a management technique, and the presence of the existing railway at its present level of use already affects the ability of land managers to perform their duties.

A substantive omission in the DEIS is the lack of attention on the extent to which the proposed passenger rail project, with its 32 high-speed passages per day through the park will affect the ability of managers of conservation lands to continue to manage their properties with fire. Any reduction/restriction in the use of fire will adversely affect the populations of numerous fire-dependent threatened and endangered species. Considerable attention should be expended in the EIS in accurately identifying potential impacts and mitigating them to the greatest extent possible.

Because this omission has occurred in the DEIS at a property as substantial as 11,000-acre Jonathan Dickinson State Park, it appears that this issue has also not been addressed at other conservation lands through which the proposed passenger rail project traverses (e.g., Savannas Preserve State Park). The EIS should be revised to appropriately address the potential impacts of the project on land management activities at JDSP, the Savannas and all other public conservation lands through which it traverses.

A generalized fire management memorandum of understanding should be developed and used as template in coordinating with the owners/managers of conservation lands through which the rail corridor traverses.

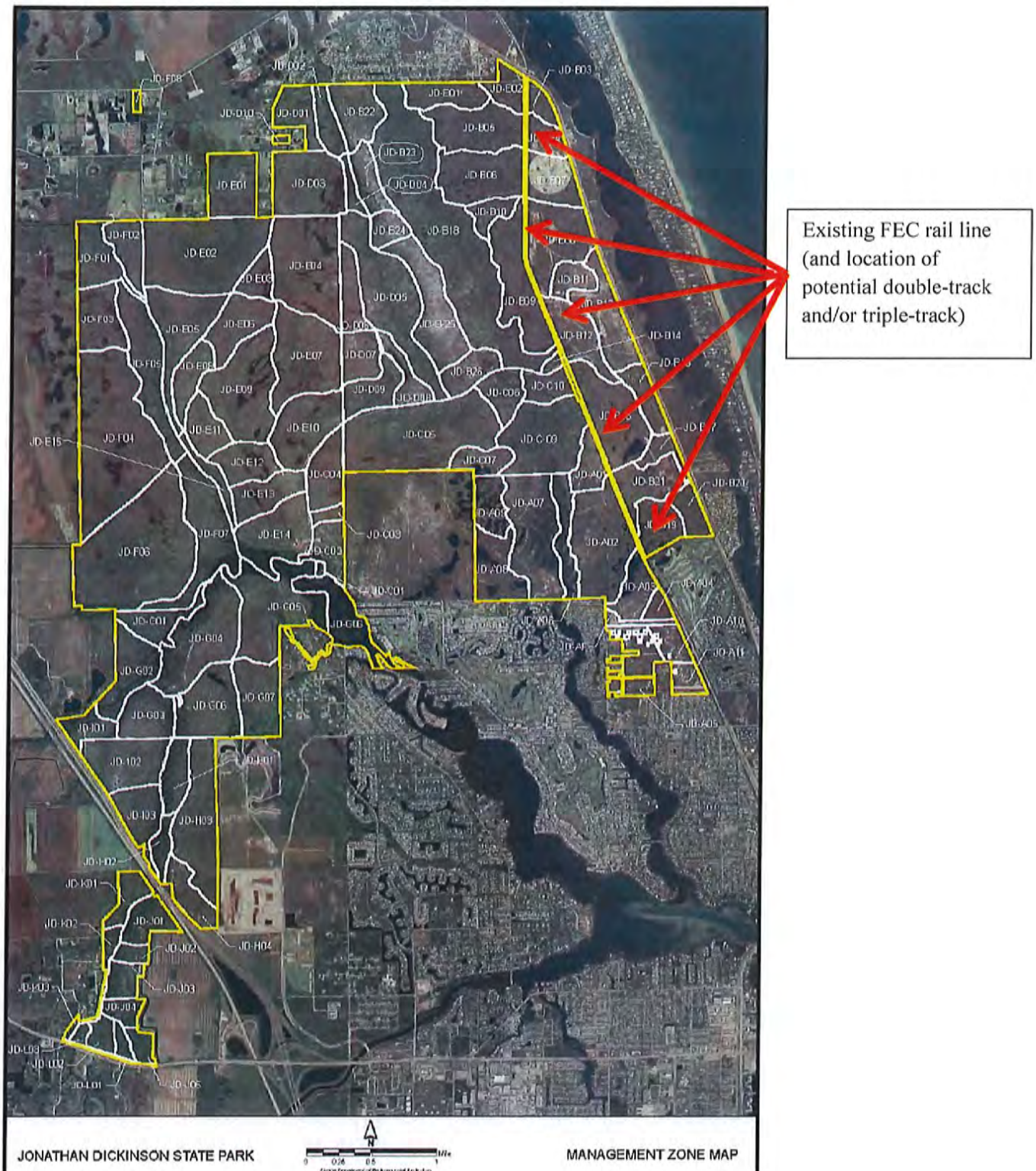


Figure 1: Jonathan Dickinson State Park Management Zone Map

Source: Jonathan Dickinson State Park Land Management Plan

Another example of the inadequacy of the DEIS analysis on ecological issues is its lack of attention to plant species such as the Perforate Reindeer Lichen (*Cladonia perforata*), a federally-listed endangered plant species whose presence was given scant mention in the DEIS. This species, which was designated by the federal government as Endangered in 1993, is merely mentioned in Section 5 – Environmental Consequences (P 5-114 “found adjacent to the railroad corridor”) and Table 4.3.6-3. In reality, the total world-wide population of this federally-designated Endangered Species is restricted to a few highly fragmented populations in four counties in Florida. Because the DEIS acknowledges that the majority of the work on ecological issues was a “desk-top assessment”, the extent to which populations of this species are being affected by the existing FEC railway, and the extent to which double-tracking, triple-tracking and the increased frequency of use might effect this species is entirely unknown.

The DEIS is similarly deficient in its lack of detail regarding the proximity of the existing rail corridor to individual *Asimina tetramera* plants, another federally-designated endangered plant species that is known to be present in the scrub community. The entire worldwide in-situ population of this species is restricted to Paola sand substrate in Martin and Palm Beach Counties, through which the rail project traverses. An accurate determination of the potential impact of the proposed rail project on this species cannot be determined based on the limited data provided in the DEIS. Issues regarding the abundance of this species, its spatial distribution in relation to the rail corridor, the effect of the proposed project on its pollinators and the extent to which the proposed rail project will affect movement of the fruits/seeds by the wildlife that consumes it, are examples of the level of detail that must be identified and addressed in the EIS in order to determine the potential impact on this endangered species.

Similarly, the DEIS provides insufficient information regarding the presence, abundance, spatial distribution and potential impacts on *Acanthocereus tetragonus*, the triangle cactus, a state-listed threatened species which is known to be present in close proximity to the existing FEC corridor in the Savannas Preserve State Park (a 5,400 acre facility that is not even mentioned in Section 4.3.5.2. regarding Preserves, Wildlife Sanctuaries and Wildlife Corridors). Neglecting to include a conservation parcel that extends for approximately 10 miles from Jensen Beach to Fort Pierce, and through which the existing railway traverses, provides insight into the lack of thoroughness in the DEIS. In a situation that parallels the inadequacies of the DEIS in dealing with scrub management in JDSP, it is apparent that authors of the DEIS failed to consult managers at the Savannas and/or to familiarize themselves with the content of the approved management plan for this conservation property.

Detailed field surveys are warranted for all federally-listed and state-listed threatened and endangered species that occur in the vicinity of the proposed project – without the results of these surveys, potential impacts cannot be accurately identified, site-specific avoidance and mitigation alternatives cannot be identified and appropriate monitoring protocols cannot be established.

2.2 Fauna

A related oversight in the DEIS is the lack of thorough treatment of the potential impacts of the proposed rail project on scrub-dependent animal species, including Florida Scrub-jays, gopher tortoises and gopher frogs.

The information contained in Appendix 4-3 indicates that desktop and field surveys have been conducted for some species (e.g., scrub-jays). The DEIS fails, however, to identify the extent to which the proposed project will affect this species, other than saying that the US Fish and Wildlife Service has been convinced by AAF representatives that the project will not adversely affect them. Detailed surveys for Scrub-jays that have been conducted at Jonathan Dickinson State Park at a substantially higher level of intensity than those that were done by AAF's consultant clearly show that the existing FEC railway bisects the home range territory of several families of scrub-jays at JDSP (Figure 2).

Failure to analyze the extent to which adding additional lanes of track and/or adding 32 high-speed train passages per day through an individual jay clan's territory renders the Environmental Impact un-supportable by facts and inconsistent with the intent and goals of the National Environmental Policy Act.

The DEIS includes information that scrub-jays responded to play-back calls by flying across the existing railway corridor and that the approach of an on-coming train caused scrub-jays to take evasive action. The DEIS fails to identify and evaluate the extent to which the increase in frequency of use of the railway, the potential double-tracking and/or triple tracking through JDSP and the approach of high-speed trains will affect scrub jays. It is suspected that construction and operation of the proposed project will result in reduced scrub-jay nest productivity and potential abandonment of some home range territories in JDSP, but the absence of detail in the DEIS prevents the potential impacts on this species from being fully known.

Simultaneously, the DEIS is deficient in its treatment of Scrub-jays in the vicinity of Seabranh Preserve State Park in east-central Martin County. Scrub-jays were documented by state park biologists to occur at Seabranh during surveys in 2014, and it is likely that the home-range territory of the jays at Seabranh includes the golf course at Mariner Sands, a residential golf-course community which is located to the west of the existing FEC rail corridor. The extent to which the proposed project will create a barrier to scrub-jay movement between Seabranh and Mariner Sands cannot be determined based on the total absence of information on this topic in the DEIS.



Figure 2 – Results of 2014 Scrub-jay surveys at Jonathan Dickinson State Park

Base map source: Florida Department of Environmental Protection; rail location identified for clarity

The results of detailed scrub-jay surveys are available for conservation lands in addition to JDSP and Seabranck Preserve State park (e.g., Savannas Preserve State Park, preserves in Indian River County). Prior to release of the final EIS, comprehensive scrub-jay data must be obtained and analyzed in order to accurately assess impacts, identify potential avoidance and minimization techniques (e.g., reduced train speeds where jay territories are traversed). Only after these steps are completed can site-appropriate monitoring protocols be identified.

Gopher Tortoises and their Commensals

The DEIS is similarly unacceptably deficient in its presentation and discussion of gopher tortoises, a reptile that is designated by the State of Florida as a threatened species. Without field surveys for this species having been conducted, the magnitude of potential impact of the proposed project on this species is unclear. The DEIS does not even provide an order of magnitude estimate of numbers of this species that will be affected – dozens, hundreds, or thousands along the full route of the proposed project?

The obvious need for this type of information is in order to accurately determine the locations, frequency, placement and design of wildlife crossings. The absence of data in this regard has resulted in the preposterous determination that no wildlife crossings are proposed or warranted anywhere along the 195-mile north-south stretch of proposed project.

The existing FEC rail corridor presently poses an obstacle to the movement of gopher tortoises and other species, most notably in areas where the railway bisects conservation properties. To eliminate or reduce railway-related mortality of gopher tortoises and other wildlife, wildlife underpasses and/or crossings are necessary. Numerous studies have shown the effectiveness of wildlife underpasses in preventing wildlife mortality and allowing movement of wildlife across transportation corridors. The locations, sizes, frequency and design of both the crossings and any necessary exclusionary fencing can only be determined after thorough wildlife surveys have been conducted. Upon completion of detailed wildlife surveys, revised plans that show the locations and design specifications of wildlife crossings and exclusionary fencing and/or other mortality-reducing alternatives should be provided, analyzed in the EIS and opened for public review and comment.

The burrows of gopher tortoises are well-known for the habitat they provide for a myriad of other wildlife, including federally-listed species (e.g., indigo snakes), state-listed species (e.g., gopher frogs) and non-listed species (e.g., opossums). Failure of the DEIS to accurately assess the impact of the project on gopher tortoises necessarily results in the failure to accurately assess the potential impact of the project on commensals. Application of the Eastern Indigo Snake key to determine the degree of effect is inappropriate until more thorough wildlife surveys, habitat mapping and wildlife hazard mitigation options are identified and evaluated. Analysis of impacts on gopher frogs is particularly warranted in conservation areas where the existing rail corridor separates seasonally-used habitats (i.e., posing a potentially fatal obstacle for the movement of gopher frogs from dry-season habitat in tortoise burrows to rainy-season ponds and wetlands).

The descriptions above highlight specific examples in which the DEIS is woefully deficient and inadequate in the level of detail that is needed in order to accurately assess the ecological impacts of the proposed project. The same lack of detail is apparent in the treatment of several other federally-listed and state-listed threatened and endangered species. The final EIS should not be produced and available for public comment until 90% complete engineering design plans and thorough field surveys for listed species have been completed.

3.0 Inadequacy of the Alternatives Analysis

The level of detail provided for the various east-west alternatives is warranted for several alternate north-south routes. Minor variations in the comparatively short east-west leg do not constitute acceptable alternative alignments for the project. The descriptions of the screening processes appear to have been contrived in order to creatively dismiss the need to fully evaluate other options that could be feasible. Options that should be fully evaluated include:

- Co-location within the existing I-95 and Turnpike corridors, including, if necessary, options for elevated service to prevent at-grade crossings;
- Co-location within the existing 500 kV aerial electrical utility corridor from Martin County to near Orlando International Airport; and
- The existing interior-Florida CSX railway which avoids urban east-coast communities from Martin through Brevard Counties.

4.0 Impacts on Wetlands, Rivers and Navigation

The Guardians are concerned that the DEIS inadequately addresses avoidance, minimization and mitigation for impacts to wetlands, rivers and navigation.

While the attempt to develop a DEIS in response to 30% complete design plans may have been a creative way to jump-start the agency review process, in actuality, doing so has revealed the inadequacies that are inherently associated with identifying impacts of a moving target.

Specific examples are the lack of adequate detail related to the impacts to wetlands and threatened and endangered species of double-tracking and potentially triple tracking portions of the existing railway and unknowns regarding “smoothing out” curves that may be too sharp to safely transit at high speeds. The DEIS is unclear, and personal communication with an AAF representative at the “open house” hearing failed to clarify the extent to which the construction of additional tracks within the existing railway corridor would require fill into wetlands at locations where the existing railway was built on/over wetlands.

One specific example of this situation is provided in Figure 3. At the location shown in southern Martin County, the existing FEC railway corridor was laid out and built in such a way that it traverses several previously-existing wetlands.



Existing FEC rail line
(and location of
potential additional
tracks)

Wetlands that have
already been adversely
affected by the
construction and
operation of the existing
rail corridor.

Because the existing
wetlands abut the rail
corridor, any widening
or addition of tracks
would likely impact
wetlands, an issue that is
not addressed in the
DEIS or Corps of
Engineers application.

Without regard to the
extent that additional
wetlands might be
impacted, detailed
analyses & corrective
action is warranted at
locations where natural
hydrologic conditions
have been adversely
affected.

Base Map: Results of 2014 Jaywatch Monitoring for Scrub Jays at Jonathan Dickinson State Park

Source: Florida Department of Environmental Protection

Location of existing railway identified for clarity and relevance

Although the width of the railway corridor at this location is unclear based on the information contained in the DEIS, this location is one example of many along the route where wetlands abut the rail corridor on both sides. Details should be provided in the EIS that show the extent to which there will be land clearing and/or impacts to wetlands at locations where additional tracking (i.e., double-tracking, triple tracking and/or sidings) is proposed.

Regardless of the extent to which the proposed project will result in new impacts to wetlands, sufficient engineering and hydrological analyses are necessary to determine the locations where the existing railway corridor has adversely affected localized hydrologic conditions. Rather than buying mitigation credits at some remote wetland mitigation bank, wetland mitigation should be conducted at locations along the route in order to offset unavoidable impacts.

Water quality in the Indian River Lagoon (IRL) has deteriorated as a direct result of human-related impacts. Much of the AAF route is within the IRL watershed, but the location of the wetlands bank that would be used for mitigation is not revealed in the DEIS. FRA and the Corps should require that all wetland mitigation for the AAF project be performed within the same drainage basins as the wetland impacts. Impacting wetlands within the IRL watershed and mitigating those losses by purchasing wetland mitigation credits outside the IRL drainage basin leaves the IRL with a net adverse impact.

Impacts on rivers and navigation

The Guardians of Martin County are concerned that the DEIS inadequately addresses potential impacts on rivers and navigation. Various studies have shown that train noise and vibration have effects outside of railway corridors. The DEIS fails to evaluate the extent of adverse impacts on aquatic biota, such as the extent to which the life cycles of aquatic organisms will be altered by the passage of 32 high-speed passenger trains and the anticipated increase in freight trains.

The DEIS also fails to provide information regarding hurricane/emergency preparedness and evacuation plans. The simulation provided at the DEIS hearing regarding the movement of vessels surrounding bridge openings is not based on actual conditions. The Okeechobee Waterway is a key navigational pathway for cross-Florida vessel movement and for residents of eastern Martin County who prepare for hurricanes by moving their vessels to narrow creeks located west of the FEC railway bridge that spans over the St. Lucie River. The age of that span, coupled with its low vertical clearance, and narrow navigation pathway all point to that location being a critical navigation bottleneck, particularly during periods of high winds, when the bridge may need to be in the down position due to safety concerns.

5.0 Consistency with Martin County's Comprehensive Plan

A key element in education and advocacy of the Guardians of Martin County is support for Martin County's Comprehensive Growth Management Plan (CGMP or "Comp Plan").

The County has adopted two Policies that are directly related to providing passenger rail service options for its residents. Specifically:

Policy 5.5E.2. Encourage passenger rail service. The County should encourage passenger rail service to Indiantown and Stuart, including Amtrak and Tri-rail, and shall explore all possible financial and political means to implement this policy.

Policy 5.5E.3. Encourage commuter and inter-city rail. The County shall continue to participate with state, regional and local agencies to encourage the establishment of commuter rail and intercity travel in Martin County.

It is unfortunate that AAF has proposed a project that is not consistent with either of these Comp Plan policies. As with other Treasure Coast counties, the AAF proposal results in a myriad of adverse impacts (i.e., ecological, social, financial, navigational, etc.) and no tangible benefits.

6.0 Corrective Actions Recommended

To transform the project into an initiative that could possibly be embraced by The Guardians and the community as an amenity, the following actions are recommended:

- 1) Re-negotiation of the right-of-way agreements to ensure that tax-payer funds are not used to benefit the private, for-profit rail business;
- 2) Conducting detailed floral and faunal studies and mitigating unavoidable impacts through the installation of wildlife crossings and underpasses to result in no net adverse ecological impacts;
- 3) Siting, constructing and operating a community-friendly depot at a suitable location where Martin County residents have access to scheduled commuter rail service to Orlando, West Palm Beach, Ft Lauderdale and Miami; and
- 4) Implementing replacement or improvements to the railway bridge over the St. Lucie River to prevent it from becoming a critical bottleneck for navigation and evacuation.

In its current version, the DEIS does not meet NEPA requirements and is too lacking in details for ecological impacts to be accurately identified and mitigated.

Endangered and Threatened Plant Species found in Martin County, FL

Scientific Name	Common Name	Status
<i>Acanthocereus tetragonus</i>	TRIANGLE CACTUS; DILDOE CACTUS; BARBED-WIRE CACTUS	FL - Threatened
<i>Argusia gnaphalodes</i>	SEA ROSEMARY; SEA LAVENDER	FL - Endangered
<i>Asclepias curtissii</i>	CURTISS' MILKWEED	FL - Endangered
<i>Asimina tetramera</i>	FOURPETAL PAWPAW	US & FL - Endangered
<i>Bletia purpurea</i>	PINEPINK	FL - Threatened
<i>Calopogon multiflorus</i>	MANYFLOWERED GRASSPINK	FL - Threatened
<i>Chamaesyce cumulicola</i>	COASTAL DUNE SANDMAT; SAND DUNE SPURGE	FL - Endangered
<i>Chrysophyllum oliviforme</i>	SATINLEAF	FL - Threatened
<i>Coelorachis tuberculosa</i>	PIEDMONT JOINTGRASS	FL - Threatened
<i>Conradina grandiflora</i>	LARGEFLOWER FALSE ROSEMARY	FL - Threatened
<i>Cyperus pedunculatus</i>	BEACHSTAR	FL - Endangered
<i>Drypetes lateriflora</i>	GUIANA PLUM	FL - Threatened
<i>Epidendrum anceps</i>	DINGY-FLOWERED STAR ORCHID; DINGY-FLOWERED EPIDENDRUM	FL - Endangered
<i>Epidendrum nocturnum</i>	NIGHT-SCENTED ORCHID; NIGHT-SCENTED EPIDENDRUM	FL - Endangered
<i>Erithalis fruticosa</i>	BLACKTORCH	FL - Threatened
<i>Eugenia confusa</i>	REDBERRY STOPPER; REDBERRY EUGENIA	FL - Endangered
<i>Glandularia maritima</i>	COASTAL MOCK VERVAIN	FL - Endangered
<i>Habenaria nivea</i>	SNOWY ORCHID	FL - Threatened
<i>Halophila johnsonii</i>	JOHNSON'S SEAGRASS	US - Threatened
<i>Jacquemontia curtisii</i>	PINELAND JACQUEMONTIA	FL - Threatened
<i>Jacquemontia reclinata</i>	BEACH CLUSTERVINE; BEACH JACQ	US & FL - Endangered
<i>Lechea divaricata</i>	DRYSAND PINWEED; SPREADING PINWEED	FL - Endangered
<i>Lilium catesbaei</i>	CATESBY'S LILY; PINE LILY	FL - Threatened
<i>Myrcianthes fragrans</i>	TWINBERRY; SIMPSON'S STOPPER	FL - Threatened
<i>Nemastylis floridana</i>	CELESTIAL LILY; FALLFLOWERING IXIA	FL - Endangered
<i>Nephrolepis biserrata</i>	GIANT SWORD FERN	FL - Threatened
<i>Ophioglossum palmatum</i>	HAND FERN	FL - Endangered
<i>Panicum abscissum</i>	CUTTHROATGRASS	FL - Endangered

Endangered and Threatened Plant Species found in Martin County, FL

<i>Pecluma dispersa</i>	WIDESPREAD POLYPODY; WIDESPREAD ROCKCAP FERN	FL - Endangered
<i>Pecluma plumula</i>	PLUME POLYPODY; PLUMED ROCKCAP FERN	FL - Endangered
<i>Pecluma ptilota</i> var. <i>bourgeauana</i>	COMB POLYPODY; SWAMP PLUME POLYPODY; PALMLEAF ROCKCAP FERN	FL - Endangered
<i>Peperomia humilis</i>	LOW PEPEROMIA	FL - Endangered
<i>Pinguicula caerulea</i>	BLUEFLOWER BUTTERWORT	FL - Threatened
<i>Pinguicula lutea</i>	FLOWERED BUTTERWORT	FL - Threatened
<i>Pithecellobium keyense</i>	FLORIDA KEYS BLACKBEAD	FL - Threatened
<i>Pogonia ophioglossoides</i>	ORCHID	FL - Threatened
<i>Polygala smallii</i>	SMALL'S MILKWORT; TINY POLYGALA	FL - Endangered
<i>Polystachya concreta</i>	GREATER YELLOWSPIKE ORCHID; PALE-FLOWERED POLYSTACHYA	FL - Endangered
<i>Prosthechea boothiana</i> var. <i>erythronioides</i>	DOLLAR ORCHID	FL - Endangered
<i>Scaevola plumieri</i>	GULLFEED	FL - Threatened
<i>Spiranthes laciniata</i>	LACELIP LADIESTRESSES	FL - Threatened
<i>Spiranthes lucayana</i>	FLORIDA KEYS LADIESTRESSES; GRAY LADIESTRESSES; FT. GEORGE LADIESTRESSES	FL - Endangered
<i>Tectaria heracleifolia</i>	BROAD HALBERD FERN	FL - Threatened
<i>Thelypteris reticulata</i>	LATTICE-VEIN FERN	FL - Endangered
<i>Thelypteris serrata</i>	TOOTHED LATTICE-VEIN FERN; DENTATE LATTICE-VEIN FERN	FL - Endangered
<i>Tillandsia balbisiana</i>	NORTHERN NEEDLELEAF	FL - Threatened
<i>Tillandsia fasciculata</i>	CARDINAL AIRPLANT; COMMON WILD PINE; STIFF-LEAVED WILD PINE	FL - Endangered
<i>Tillandsia utriculata</i>	GIANT AIRPLANT; GIANT WILD PINE	FL - Endangered
<i>Tolumnia bahamensis</i>	VARIEGATED ORCHID; ANGELITA; DANCINGLADY ORCHID	FL - Endangered
<i>Vanilla mexicana</i>	MEXICAN VANILLA; FUCHS' VANILLA; UNSCENTED VANILLA	FL - Endangered
<i>Zephyranthes simpsonii</i>	SIMPSON'S ZEPHYRLILY	FL - Threatened

Sept. 23, 2014

John Winkle: Federal Railroad Administration

In reference to AAF — We, as concerned citizens ask you: Please, don't do it!

We, all small towns and cities must bear the brunt that will be imposed upon us, so that Miami and Orlando big business can have their way.

You have heard many reasons why this high-speed rail should not go through and we agree.

One other reason is our beautiful downtown which is being re-developed in recent years, it's much hard work and expense and these 32+ trains per day will go right through it. Very sad, indeed.

We have an old theatre that's been renovated that has many wonderful performances — We can't imagine sitting for an evening trying to listen to music, etc., for 2½ hrs or more and having trains going by about 3 per hour.

Please, don't allow this.

Alice Charpentier
Emercy Charpentier
10113 Mill Creek Lane
St. Pierce, FL 34945

7801 Santana Avenue
Fort Pierce, FL 34951
December 3, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, S.E.
Room W38-311
Washington, D.C. 20590

Dear Mr. Winkle:

SUBJECT: All Aboard Florida

As a resident of the Treasure Coast of Florida for the last 47 years, the following are my personal reasons supporting rail transportation and not supporting, specifically the All Aboard Florida proposal for the Treasure Coast (from West Palm Beach to Orlando):

SUPPORTING Convenient High Speed Passenger Service from Miami to Orlando

1. My mother embarked on the last FEC passenger train trip from Fort Pierce, Florida, in the late 1960s. It was wonderful to get on the passenger train and debark in Rocky Mount, North Carolina. Later on rail transportation (now AMTRAK), could occur only for departure for the Treasure Coast in West Palm Beach or Okeechobee, Florida.
2. Much positive discussion has occurred for high-speed passenger service along the Miami to West Palm Beach area to the Orlando area. Large depots are being built to accommodate passengers, reduce pollution, etc. in those areas. Rail Freight and port expansion has also, though not as prevalent, been discussed as a result of the expansion of the Panama Canal capabilities.

I do support high speed rail opportunities in those areas (Miami to West Palm Beach and West Palm Beach to Orlando, though not as currently proposed).

NOT SUPPORTING ALL ABOARD FLORIDA for the Treasure Coast Area (Stuart, Fort Pierce, Vero Beach, etc.)

1. Thirty-two passenger trains will "zip" through the Historic Districts **WITHOUT ONE STOP** plus **INCREASED FREIGHT SERVICE**. The result as indicated by County Commissions in Martin, St. Lucie, Indian River Counties, etc. as well as for elected officials and citizens of the various cities, such as Fort Pierce, Stuart, Vero Beach, have communicated clearly for various reasons to be **NOT ALL ABOARD**.

Mr. John Winkle
Page 2
December 3, 2014

Some of the many reasons for additional review for the Treasure Coast are as follows: vibration testing of numerous high speed/freight trains through the Historic areas for stability of structures; health of Treasure Coast citizens having to wait for emergency vehicles to cross the tracks; safety for the FEC tracks, crossings apparatus and quiet zones; expanded tracks ensuring loss of historic roundabouts; the age/safety of crossing bridges for trains in the area over waterways; recreational boats waiting for draw bridge access for navigating North/South; loss of the restoration of these Historic areas for specific tourist investments in these downtown area cities, etc. Many of these Treasure Coast areas are meccas for tourists. **ALL ABOARD FLORIDA HAS NO BENEFIT FOR THE TREASURE COAST – ONLY THE LOSS OF PARADISE!!**

1. PLEASE, PLEASE, PLEASE CONSIDER OTHER OPTIONS FOR HIGH SPEED RAIL FOR THE TREASURE COAST as follows:

- A.** From the Environmental Impact Statement, please consider Florida passenger-rail in one of the other locations; that is, next to Interstate 95, next to Florida's Turnpike; or along the CSX railway tracks in the middle of the state. Of course, FEC/Fortress Investment Group LLC (Florida All Aboard) prefers the Florida East Coast corridor that traverses the Historic downtowns of Fort Pierce, Stuart, and Vero Beach. It is to their benefit, not to any of the citizens of the Treasure Coast.
- B.** Allow Florida All Aboard to continue what has already been started/constructed from Miami to West Palm Beach as well as the terminal in Orlando.
- C. PLEASE CONSIDER one of the alternate routes as outlined in the Environmental Impact Study IN ORDER TO SAVE THE HISTORIC TREASURE COAST COMMUNITIES AND PARADISE.**

Please consider my request as just one citizen who has "real concern" as to the impact of Florida All Aboard. Yes, I support high speed rail as future centered but not to the destruction of the History and Beauty of the Treasure Coast! The Treasure Coast is a TREASURE!

Sincerely,


Judith Joyner Wright

Arthur F. Worden Jr.
5061 N. Highway A1A, Apt. 501
Fort Pierce, Fl. 34949

November 30, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E. Room W38-31
Washington, D.C. 20590

Subject: Proposed High Speed Rail - AAF

I am opposed to the proposed high speed rail system from Orlando to Miami as presently configured.

The prime objection is the use of the present low speed rail system down the Treasure Coast. This gives rise to all the other objections and concerns of the affected population which is overwhelming.

A cursory review of the successful high speed systems in Europe and Japan results in the following three basic requirements:

1. A dedicated rail system for high speed trains only.
2. Continuously welded one piece rails.
3. Minimum crossings - preferably none.

The system proposed meets none of these requirements.

A system meeting these requirements could be built along the I-95 corridor or further west. If possible, such a system should be constructed with the possibility of future use for magnetic levitation which appears to be the system of the future.


Arthur F. Worden Jr., P.E.

John Winkle, Director
Federal Railway Administration
1200 New Jersey Ave.
Washington, D.C. 20590

Re: Draft Environmental Impact Study on All Aboard Florida

Dear Sir:

Having read the DEIS, I would like to express my concern over the findings of the report.

The Treasure Coast citizens are overwhelmingly against the AAF project.

I live in Ft. Pierce and we have nothing to gain from these trains running throughout the town.

There were 237 identified high risk environmental conditions identified in the DEIS.

I'm concerned that our Safety / Emergency response teams will be dramatically delayed.

Traffic will be dramatically affected.

Increased freight traffic with a dramatic increase in hazardous materials will eventually be a major concern. Keep in mind Lac Magentic Canada...

The bridge over the St. Lucie river will be down 9-12 hrs a day that is unacceptable.

Please mark me down as NOT all aboard!

Thank you. Terry Ulrich
801 Mariner Bay Blvd.
Ft. Pierce FL 34949
Terry Ulrich



Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

Dear Mr. Winkler,

I urge you to insist that All Aboard Florida move the tracks west of the Treasure Coast, to unpopulated areas. I attended the public information meeting in Vero Beach. I felt the engineers, although cordial, were favoring AAF. The intrusion of so many trains daily on the Treasure Coast will damage the environment & our way of life here. I met St. Lucie County's Director of Planning & Development. He stated that AAF's impact statement was not truthful. It characterized our county, where the tracks would run, as "low density, residential & undeveloped lands". The tracks that would run through Fort Pierce would be extremely detrimental. There are government buildings, private businesses and the downtown city Marina. We have a thriving Farmers Market on Saturday mornings. People come from all over Florida to shop. Please save our Treasure Coast!

If you need additional space, please attach a second sheet to this page

All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Eloise R. Simpson, CPA
Address	1329 Peppertree Trail, Unit D Fort Pierce, FL 34950
email	Please provide your email address if you would like to receive notification when the FEIS is available elmime@bellsouth.net

Donald E Root

4321 South Indian River Drive Fort

Pierce, FL 34982

Phone (772) 461-0846

Cell (772) 979-2987

email-donaldroot@aol.com

October 30, 2014

Dear Sir,

My name is Donald E Root. I own a house that I grew up in at 209 Avenue E Fort Pierce Fl. The house was **built in 1923** so is 101 years old. It is located **50 feet from the rail road right of way**. At this point the track is curved and the RR bed is elevated about 5 feet above my property this makes of a lot of dust and noise as well. My parents bought the house in 1944. It has been in our family for 70 years and as I am 74 my children have been instructed to never sell the house. It is in the Historical district known as Edgartown. If AAF comes threw with double tracks and the number of trains purposed it would be **catastrophic** to the property value. It would be an unbearable amount of **DUST, NOISE and VIBRATION**. The Tenant that currently lives there loves the area and the 100 + years old house. I do not think any one could live there under these conditions. I do not think I could get nor keep a tenant in that house.

Please note on page two Lot # 3 is where my 100 + rental property is located and # 4 lot is my vacate lot that will be useless if the train traffic is increased the amount purposed. The property is located 2 blocks from the River Walk water front park and 5 blocks from the beautiful Fort Pierce City Marina.

Sincerely

Donald E Root

Donald E Root

4321 South Indian River Drive Fort

Pierce, FL 34982

Phone (772)461-0846

Cell (772) 979-2987

email-donaldroot@aol.com

October 29, 2014

Dear sir, My name is Donald E Root and I my residence is juts 100 feet from the FEC right of way. The tracks are doubled here to allow the trains to pass each other.



(Just north of midway road in Fort Pierce).



From South Indian river drive to the RR right of way is 244 ft. on the south side and 254 on the north side of my property.

I built this house as an owner builder in 1972. I have never complained about the train traffic. **HOWEVER** with the addition of 32 high speed trains this seems to be unbearable and unnecessary. The secret rider ship is not there and every ticket sold is one less on the government subsidized Amtrak. As you can see in the second photo the distance between the road and savanna gets very slim at my location. I believe my water front 4 bedroom 3 bath 2 car garage and pool home will deprecate as much as \$100,000. This would not work very well for me as I am a retired veteran and live on a fixed income. I would ask that this project be stopped before it destroys the peace and tranquility of the treasure coast.

Sincerely

Donald Root

4321 South Indian River Drive
Fort Pierce FL, 34982
Phone 772 461-0846
cell 772 979-2987
email donalderoot@aol.com

10-29-14

John Winkle
Fed. Railroad Adm.
Washington, DC 20590

RE: "all Abroad Florida"
I oppose it!

Dear Sir:

I think a train from Miami, FT. Lauderdale,
and the Treasure Coast would be a con-
venience of travel to Orlando.

But, not on the present tracks!!!

do we not have train tracks in Ockachobee?
We are so heavily populated East of Hwy 95,
it would be a hindrance to all of us who live here.
Safety, pollution, inconvenience to travelers, etc.

It seems like one big headache! I live in
"High Point" on US #1 and I already hear the
trains, I can't imagine those living closer.

Yes, it would be a big "money maker", for some,
at the expense of others who live near the tracks.

Very truly yours,
Eleanor A. Berkowski
1-772-464-7862

Ms. Eleanor Berkowski
925 Savannas Point Dr Apt A
Fort Pierce, FL 34982-5150

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

Dear Mr. John Winkle,

I am writing to beseech you to deny the loan request for All Aboard Florida. I am a resident of Fort Pierce, Florida, and I have been very distressed regarding the potential of AAF to become a reality. The E.I.S. does not sufficiently address so many of the negative aspects of AAF, including high speed trains running through + bisecting Treasure Coast communities, increased traffic congestion + high speed trains and probable increased freight trains the effect on safety/emergency response times for fire trucks/ambulances, the effect on the marine, industry, real estate values for homes and businesses near the tracks and concern for the integrity of many of the bridges. There are so many other concerns, but what is most appalling is the fact that a private company is requesting either the RR IF loan or private activity bonds. Either of these essentially impacts taxpayers, not in a positive way.

I can only hope that you have an open mind and an open heart to see the real truth in this miscarriage of our democratic society. Thank you very much for your time and attention to this extremely important matter.

If you need additional space, please attach a second sheet to this page

Sincerely,
Sharon Perry

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Sharon Perry
Address	4760 Alvarado Avenue Fort Pierce, FL 34946
email	Please provide your email address if you would like to receive notification when the FEIS is available

6307 Ft. Pierce Blvd
Ft. Pierce FL 34951



11-24-14

This newspaper column
is full of logic about the
"all aboard Florida" train.

Move it to Inland!

Why make towns
residents suffer noise and
delays. Fire, rescue and
medical needs should be
most important for so
many retirees here!

Don't make us pay for
this in order to help a
few.

Mary andres
& Olga Pellegrino

Date

10/31/14

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

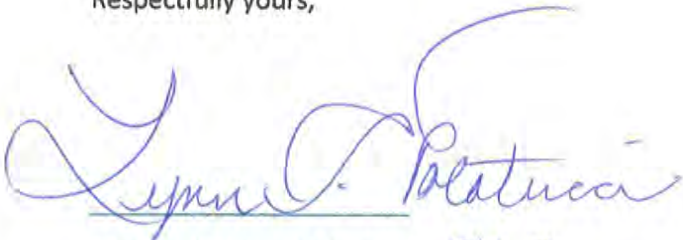
We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances,. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or businesses in St Lucie County or the City of Fort Pierce.

Respectfully yours,



3200 N. Highway A1A Apt # 702
Fort Pierce, FL 34949-8807

TO: **Mr. John Winkle, Federal Railroad Administration**
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

FROM: Dr. and Mrs. Robert Norton
1704 Coconut Drive
Fort Pierce, FL 34949

Table S-2 of the EIS Draft claims "*no adverse effects on Communities and Demographics.*" Those of us who live here disagree. For example, no where does it disclose the effect of bridge closings on automobile traffic. The DEIS is seriously flawed, using inaccurate including outdated data and analysis. Even these "public hearings" are flawed by a set-up that limits residents comments being recorded, and residents hearing from, learning from, and supporting other residents.

Here is a summary: All Aboard Florida negatively impacts:

- Our safety - the speed and frequency of trains creates serious issues for emergency services, evacuation, blocked crossings / dangerous traffic light issues, crossings of young & senior citizens
- Our economy -- tourism and older downtowns are highly impacted, SMALL Businesses disproportionately impacted
- Our older neighborhoods - many are cut by RR tracks with double tracking & higher speeds
- Our traffic - traffic snarls, traffic signals problematic
- Water navigation - OLD RR bridge NOT to be replaced, RR water crossing NOT to be double-tracked -- so long delays, evacuation issues during such as hurricanes, effectively eliminates Gulf to Intracoastal/Ocean
- Environmental justice - All Aboard disproportionately impacts the safety of low income and minority populations -
- Our taxes - costs of roads/traffic signals, lower property values
- Our air quality - cars idling waiting for 32 high speed + 20 freight
- Our water quality - boats idling waiting for RR bridge openings, collisions
- Our property values
- Our wildlife - adding a 2nd set of RR tracks, 32 high speeds trips on multiple-tracked create frequency and speed problems for wildlife.

In Stuart Florida - here is the impact

- Average Freight Train length: 8,150 up to two miles long
- Includes 2 locomotives and 101 freight cars
- In Stuart Florida, a stopped train stretches across all 6 intersections within Stuart City limits - Joan Jefferson, Colorado, MLK, Florida, Dixie (Decker), Monterey

In South Florida, we have to wonder if government officials hundreds of miles away in Washington realize how much we look to them to protect us from abuses. By living with the rumble of freight cars, waiting at crossings and bridges, and witnessing the situations where too many freight cars can ruin a beautiful downtown, we are constantly weighing the impact of All Aboard Florida.

Few people lived along Florida's largely pristine east coast when pioneer Henry Flagler bankrolled the first hotels and passenger rail service to serve them. Today, more than 7 million residents live in the coastal counties where a revival of passenger service is proposed along 195 miles of existing railroad right of way by hedge fund All Aboard Florida, a venture of Fortress Investment Group-owned Florida East Coast Industries.

Pretend you are a 21st century Henry Flagler looking at Florida from space, planning to colonize this beautiful peninsula with its 1,200 miles of coastline. Would you use up valuable real estate within a few miles of some of the best beaches and most attractive communities anywhere to move freight? Using expensive noisy outdated technology? Flagler was a visionary. If he were alive, he would not expand a 19th century railroad with crumbling infrastructure and rusting bridges. That would be investing in buggy-whips.

Now home to businesses and millions of year-round residents, the coastal route of the proposed passenger rail service using a right of way that has served Florida East Coast freight trains since the 19th century, is also packed with growing opposition.

This project is not just deleterious to Florida, but to all taxpayers. If the project is publicly funded, the RRIF loan could require a public bailout if All Aboard defaults. Without highly populated cities such as Tokyo and Osaka, historically HSR projects have failed to meet profitable expectation. The unique topography of Florida coastal will be negatively impacted by trains traveling through. While AAF boasts fantastical and unsubstantiated claims of increase in tourism and business, it also will delay emergency vehicles, create traffic jams, raise noise pollution, and block waterways along hundreds of miles of tracks.

Further concerns are aging railroad bridges, noise pollution, increased deterioration of buildings due to train vibration, safety concerns of high speed trains being retrofitted to aging rail beds and grade level crossings, and decreased property values of homes in close proximity to train routes.

Taxpayers will experience increased costs to upgrade railroad crossings maintained by local governments. The maintenance costs - that's taxpayer money. Martin County alone maintains 18 train crossings at an average cost of about \$60,000 each. All to the benefit of an alleged "private venture" of a junk bond hedge fund.

It's not that we hate trains, just unprofitable and unsafe trains retrofitted to old tracks that stop in the communities along the way funded by taxpayer dollars that irrevocably harm communities.

Sincerely,
Dr. and Mrs. Robert Norton

A handwritten signature in black ink, appearing to read "Dr. and Mrs. Robert Norton". The signature is fluid and cursive, with a large, sweeping initial "D" and "M".

cc: Recipients: Designated Comments Email as Provided In EIS Draft, Office of Rail Road Policy and Development, Senator Marco Rubio, Senator Bill Nelson, Ananth Prasad Florida Department of Transportation, Congressman Patrick Murphy

October 27, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances,. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or business in St Lucie County or the City of Fort Pierce.

Respectfully yours,

Robert L. Nelson
Angelina Nelson

Date

11/11/14

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances,. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or businesses in St Lucie County or the City of Fort Pierce.

Respectfully yours,



3200 N. Highway A1A Apt # 905
Fort Pierce, FL 34949-8807

B. Mouhauser
1905 RIO VISTA DR.
FT. PIERCE, FL
34949

Dear Sir:

As a resident of the Treasure Coast city of Fort Pierce, I would like to register my opinion of "All Aboard Florida" as a resounding NAY!

This railroad is "rail roading" the citizens of Martin, St. Lucie, Indian River and Brevard Counties.

It is probably a good thing for the more populated areas to the south, however not us!

It seems a no brainer would be to take it inland in the West Palm Beach area, along the turnpike to its destination at the Orlando Airport.

Orlando Airport ??? That is also a stupid premise. Is it an airport just that or now also a train station? Excuse me, but what are these people smoking? Please count me against this dumb idea. Also I use Miami Airport at least 3 times a year, and its always an adventure to drive !!!

Hoping for level heads,
Barbara Mouhauser

Date

11/4/2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances,. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or businesses in St Lucie County or the City of Fort Pierce.

Respectfully yours,

Shirley F. Monter
George C. Monter
3120 N. HWY. A1A #1205
FORT PIERCE, FL 34949

Mark Mathis
4213 Garrison Lane
Fort Pierce, FL 34982

November 9, 2014

Mr. John Winkle, Federal Railroad Administration
Subject: Public Comment, All Aboard Florida

Dear Mr. Winkle,

I am in favor of high speed rail system connecting Miami to Orlando. In 2011 doctors at the University of Miami Sylvester Cancer treatment center on 12th Ave. in Miami began Cyberknife radiation treatments on me for a brain tumor. My wife and I made many trips between Fort Pierce and Miami for these treatments and follow up monitoring.

On March 3, 2011, my wife and I left the Sylvester Center at 1:25 pm heading home. We were north bound on I-95 in light traffic when the hood of a vehicle ahead of us blew off the car in a strong easterly cross wind. We escaped with our lives, however the wayward hood hit the right front fender of our Jeep Grand Cherokee inflicting cosmetic damage.

Hundreds of people frequent the Sylvester Center and the Deere Field Beach Campus for cancer treatments daily. High Speed Rail will open access to such health treatment centers to those that may not otherwise seek out that option.

Mark Mathis

2400 S Ocean Drive #3635
Ft. Pierce, FL 34949
October 14, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S. E., Room W38-31
Washington, DC 20590

Dear Mr. Winkle:

We strongly urge you to say "No" to the proposed All Aboard Florida railroad, designated to run between Orlando and Miami, Florida. While studies may be conducted and indicate little impact on the local flora and fauna that cannot be mitigated, the negative effect on the human environment is unmeasurable.

We know three counties intimately (Indian River, Martin, and St. Lucie). Together we have lived, worked, shopped, enjoyed local entertainment, and have had medical procedures in all three. All of these normal activities would be negatively impacted if 32 additional trains ran through our small towns and cities. Tens of thousands residents would be similarly affected.

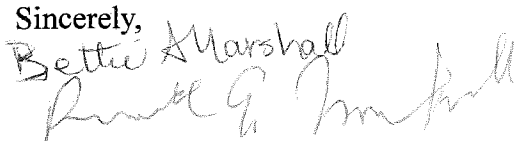
The so-named All Aboard Florida may be good for their own business, but the outlook for local businesses is dismal. We are no longer small towns where the railroad ran parallel to the Indian River with nothing beyond. We now have businesses and populations almost equally divided on each side of the track. When the track runs right through the middle of town 32 times a day, how are we supposed to get to the grocery store, the dentist, the movies, the Walmart or Home Depot. While long waits may be a mere inconvenience to some, the delay of an ambulance or a fire/rescue unit could have deadly consequences.

Furthermore, from October through April the large population on both Hutchinson Islands is funneled onto U.S. Highway I, which is already congested with numerous traffic lights that add to the tie-up. The release of a long line of traffic at every intersection affected by train traffic will increase the heavy traffic to a succession of bottlenecks further impeding north/south traffic. The result will be damaging to businesses and to ordinary citizens trying to negotiate their way through the Treasure Coast.

It is unfathomable that such an impediment to the quality of life of Florida residents could even be considered, much less green-lighted by our government on any level: local, state, or national.

Please stop this train wreck.

Sincerely,

Handwritten signatures of Bettie A. Marshall and Russell E. Marshall in cursive script.

Bettie A. Marshall
Russell E. Marshall

15 October 2014

Re: All Aboard Florida

**Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE
Washington, DC 20590**

Dear Sir,

All Aboard Florida is a company proposing to establish passenger train service from Miami to Orlando. The company is not planning to accommodate potential passengers along the Treasure Coast of Florida. A train cannot call itself a PASSENGER train if it does not plan to have passenger stations along its route.

The recently-submitted environmental impact report on this project is regretful, in that the concerns of the towns and cities along the projected route were not addressed. As I am a resident of Ft. Pierce, and therefore the Treasure Coast, I am compelled to share my thoughts on this matter. Please keep in mind that Ft. Pierce has struggled for over 30 years to achieve a semblance of economic stability that attracts stable households and responsible citizens. I have participated in this effort.

Ft. Pierce conceivably would have to face and deal with the following, should All Aboard Florida's plan come to fruition:

- 1. A decrease in residents and tourists, due to increased noise and traffic delays. I live 3 blocks from the tracks and can testify to the loudness of the trains and their horns, and to the frustration of spending many minutes waiting on the present**

train traffic to pass. AAF is touting its goal of adding another 32 trains a day.

2. Small business failures in the downtown, due to the inability of people to access the area. Traffic from U.S. Highway 1 must cross the railroad tracks to patronize the downtown businesses. One must cross the tracks, as well, to get to the beaches and many of our marinas.

3. Demoralization of the hopes and spirits of those who have worked to upgrade the city's image and reputation. I have been a Board member of Main Street, Ft. Pierce, and was instrumental in the founding of the third-most-highly-rated Farmers' Market in the United States, the Ft. Pierce Downtown Farmers' Market. One can only wonder, to what end?

Ignoring the Treasure Coast is, of course, to All Aboard Florida's benefit and presents no inducement to residents of the Treasure Coast to support it. Obviously the company doesn't need us, and is willing to gamble on profits while ignoring the realities of life for those who live in its path.

If a private company, which All Aboard Florida proclaims itself to be, cannot raise its own funding, and is allowed to contribute to the decline and destruction of the many small cities and towns along its tracks, it should do so without the backing of a federal agency. It would be, at the least, unethical for the Federal Railroad Administration to provide resources to a corporation that would detrimentally harm the very people who provide the dollars to maintain your agency.

I love trains. I've ridden them along the east coast of the United States, and in Europe. I love trains that stop at small towns and provide a service. Passenger trains, the ones I'm used to, don't travel through the middle of residential and commercial areas, affecting the lives of people who will suffer from the "service".

There are tracks west of town that can be utilized for this enterprise. Perhaps you can point this out to All Aboard Florida while handing them a resounding "NO" on its request for assistance.

Sincerely,



**Ellen Mancini
20 Orange Ave., #402
Fort Pierce, FL 34950**

**power2peep@yahoo.com
772-532-0096**

Ila Lecato
2104 Golfview Ct.
Ft. Pierce, FL 34950

October 21, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave, S.E.
Room W38-31, Washington, D.C. 20590

I live about one-half mile from the FEC tracks, and sometimes feel vibration in my house as a freight train passes through Ft. Pierce. I can't help but fear the likely damage to my home from frequent high-speed trains, as well as longer, heavier freight trains expected from the Suez Canal widening.

When Henry Flagler built the FEC, Florida was an undeveloped frontier. He built the FEC to be able to get away from the cold of Northern Winters, and I am sure hoping for financial gain also. Many cities, large and small, were built on both sides of the tracks to receive and ship goods and people from Depots that were built. Some of these communities along The Treasure Coast have programs to preserve historical sites, and have received awards and recognition for their efforts, many of which could be destroyed by AAF. In addition to the addition of high-speed trains, ON ANCIENT TRACKS, additional tracks in some areas, noise, additional crossing closure time for boat and road vehicles, will destroy some of these communities' ambulance, fire, police and school bus response time. There is also the danger of accidents happening with HAZMAT freight shipments.

The safest place for a high-speed European style rail, limited access, route would be the Sunshine State Turn Pike and the I-95 corridor, without, grade crossings.

Ocean shipping could, and should, be used for additional freight expected from the Suez Canal widening. I understand Florida qualifies for federal grants under the American Marine Highway Program which would make it better possible to compete against government subsidized rail and trucking. Treasure Coast Colleges have marine technology, ocean engineering and ocean science centers for highly skilled, well paying Jobs. I do not want AAF along the Treasure Coast!

I have read every thing I could about AAF, but due to age and disability, am unable to attend any meetings.

Sincerely, Ila Lecato

Date Nov. 20, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances,. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or businesses in St Lucie County or the City of Fort Pierce.

Respectfully yours,

Charles N. Lambert
Jacqueline Lambert

³¹⁵⁰
~~3200~~ N. Highway A1A Apt # 1003N
Fort Pierce, FL 34949-8807

10/22/14

Dear Mr. Winkle,

We are writing you to voice our opposition to the "All Aboard Florida" trains that will or proposed to run down the Treasure Coast. We live on the Smith Island in Ft. Pierce which means we will be directly affected by these trains and our quality of life will be decreased if they are allowed to run.

Go to the central railroad lines/tracks in the middle of the state!

J. CARY KORNHER
Jo Cary Kornher

JOANNE J. KORNHER
Joanne J Kornher
1309 BAYSHORE DR
FT. PIERCE, FL
34649

Nov. 13, 2014

To MR. John Winkle,

There is much in the news concerning the "hoopla" over ground breaking for AAF terminal in Ft. Lauderdale. For those of us who are fighting to save the Treasure Coast and protect our communities from all the negative impacts you have undoubtedly heard a thousand times, this news is nothing short of depressing. It makes me feel as though I have no voice at all and for those who have worked so hard to try to make you understand how devastating AAF will be — well it's all been in vain. The decision has already been made. The rail report is a done deal in favor of AAF. I'm sure you

Can live with your decision -
I just wish you had to live
with it in St. Pierce, Florida.
Then and only then could you
realize what a mistake it
is to allow AAF to continue
with its plans.

Thanks, at least, for taking
time to read this.

Sincerely,
Kay Koch
501 Hernando St.
S. Hutchinson Is
St. Pierce, Fl. 34949

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

We are opposed to additional rail traffic coming down through the Treasure Coast cities. The noise and congestion at road and bridge crossings would not be compatible with these resort communities, lifestyles. Properties values would be reduced. There are other routes, such as the I-95 Corridor or more western railways that would create less Environmental impact.

Myrl Keller

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



**U.S. Department
of Transportation
Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	MYRL KELLER
Address	5167 N. HYW A1A #402 FT. PIERCE FL. 34949
email	Please provide your email address if you would like to receive notification when the FEIS is available Keller402@aol.com



Mr. Harold Jacobson
26 Harbour Isle Dr. W.
Unit 103
Fort Pierce, FL 34949-2778

Continued,

I AM absolutely + positively
AGAINST ALLOWING ALL ABOARD FLORIDA
to proceed with their plans to
destroy the beautiful and
wonderful areas they plan to
run their express trains through.
Don't give them any federal
funds for any reason at all.

Sincerely

Harold Jacobson

805 S. Indian River Dr.
Ft. Pierce. Fl. 34950
November 26 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E.
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle,

I am writing in opposition to the proposed ALL ABOARD FLORIDA HI – SPEED TRAIN that would travel through my town and my community at speeds up to 110 mph – 32 times a day.

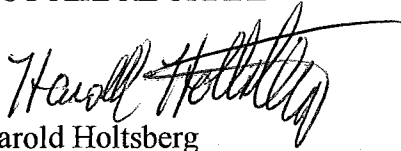
It is totally ridiculous to run trains at high speed through coastal communities along the treasure coast that have been known for there quite, reserved living standards that have appealed to so many who sought Florida and the coastal communities for a more relaxed place to enjoy there retirement years.

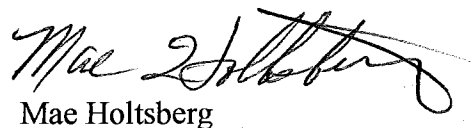
The untold environmental and safety hazards created by 32 trains a day will destroy the economic progress that has been made in Ft. Pierce and neighboring communities. These cities and the residential areas will be hampered by the untold noise and vibrations.

Passenger service was suspended by FEC railroad many years ago. Ed Ball head of FEC realized passenger services was a losing enterprise. Amtrak is a glaring example of the financial burden it has placed on the U.S. Government.

The HI-speed passenger service is not needed and never be needed along the mid-Florida east coast communities.

NOT ALL ABOARD


Harold Holtsberg


Mae Holtsberg

Cc: Andrew Phillips
Army Corp of Engineers

TO: Mr. John Winkle, Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

FROM: zolline holcomb
119 Balsa Road
Ft. Pierce, Florida 34946

Page S-23, Table S-2 of the EIS Draft regarding All Aboard Florida states that there will be "no effect on public health and safety" with an "Overall beneficial effect on public health, safety and security."

This statement, in a biased document paid for and written by All Aboard Florida, is absolutely untrue. Federal tax funds should not be spent for this private project, which will decimate our South East Florida coastal towns.

The AAF DEIS is completely partial and shamefully prepared, with the twisted summarizations and incongruous conclusions drawn in the report. Safety concerns were tossed along the wayside. The grade crossings details are frighteningly indicative of the company's lack of regulation in this project. AAF's attempt to regulate navigation of intracoastal waters is an outrage! (but an example of FEC history repeating itself) Mitigation measures in the Treasure Coast are ridiculously ineffective in reducing the impact of AAF on our safety and quality of life

This project will do great harm to Public Safety and Emergency Responders. There are 156 at grade crossings in the Brevard, Martin, Indian River, St. Lucie and Palm Beach County alone compared to 11 grade crossings on the route from Washington, DC to Boston. Grade crossings are where accidents do occur.

The sheer density of at grade crossings is staggering – often more than 1 per mile! Drivers can expect crossings to be closed 54 times a day or three times an hour, compared to once an hour now.

Martin County has 25 grade crossings in 26 miles of track; 10 are in the town of Stuart.

Brevard County has 55 crossings in 42 miles of track

Indian River County has 30 crossings in 21 miles of track

St Lucie County has 20 crossings in 22 miles of track

Palm Beach County has 26 crossings in 18 miles of track

The FEC now carries about 14 freight trains a day, but that's expected to increase to 20 a day by 2016. This number is projected to multiply with the expansion of canal and Miami shipping. A substantial increase of the already burdensome freight traffic could paralyze Treasure Coast Towns. Adding 32 high-speed passenger trains would potentially shut them down indefinitely for hours per day.

In addition there will be a substantial increase delays for emergency vehicles, ambulances, fire department, and police vehicles needing immediate access to therefore endangering human life. Neither the CSX nor the FEC will ever be the proper corridor of a true high-speed express train like the bullet trains in Japan or the TGV in France. A true

high-speed train is a major commitment and has to be done right.

Sincerely,
zollne holcomb

John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E. Room W38-311
Washington, D.C. 20590

November 15, 2014

Dear Mr. Winkle:

We are residents of the Treasure Coast in Florida and are writing to protest the All Aboard Florida high speed passenger rail service plan as presented in the environmental impact statement. This was clearly not an unbiased plan as it was written by consultants hired by the rail company.

The prospect of sixteen round trips per day between Orlando and Miami is absurd. These trips in addition to increased freight traffic from the widening of the Panama Canal and the expansion of South Florida ports will mean 52 daily interruptions of land and water traffic through the cities on the Treasure Coast. How can this not create a negative impact on emergency vehicles and also create horrible traffic congestion in heavily used areas? We have bridges that cannot accommodate increased rail traffic and the multiple closings will cause an undue marine burden.

We have not even mentioned the increased costs to local municipalities required to maintain safe rail crossings. Issues of sound and noise pollution and dangerous vibrations also need to be addressed. We are in an area asked to make multiple sacrifices with no rewards.

AAF wants to borrow 1.6 billion dollars from the federal government. If their high speed rail service fails, who picks up the cost of the loan? This is precarious since all passenger rail systems lose money and require government subsidy. I cannot imagine the demand for 32 daily trips between Orlando and Miami. So what have we got? We have a bankrupt passenger rail system, paid for by the people, and an improved freight transport system left to make the investors money.

The little people lose again.

A new passenger rail service through the middle of Florida would cause much less environmental impact. Of course, East Coast Industries doesn't own the tracks in the middle of the state and is very unlikely to arrive at an accommodation with the company that does. So from our point of view, the current plan has the great potential to cause significant personal and environment harm and end up being a financial windfall for the company at taxpayer's expense.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Anita & Allen Greenstein".

Anita and Allen Greenstein
3100 North A1A Apt PhC3
Fort Pierce, Florida 34949

458 Bridlewood Way
Fort Pierce, FL 34945
November 10, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., S. E., Room W38-31
Washington, DC 20590


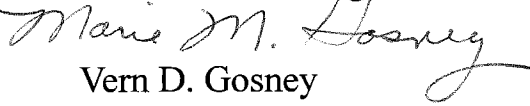
Dear Mr. Winkle:

My husband and I would like to advise you that we are very much against the All About Florida venture. We feel the route chosen for the train is a very bad one. It would have made sense to have the train go a more inland route using the rails that Amtrak uses. Sending it along the east coast where it disrupts downtown areas in several cities we think is a terrible idea.

It also will greatly slow down the boat traffic in Martin County. Of great concern is the slowing down of emergency vehicles to the people who need lifesaving help. Of course the poor people who live near the railroad will suffer tremendously from the noise and vibration created all hours of the day and night.

We think this whole matter should be reconsidered and abandoned.

Sincerely yours,



Vern D. Gosney
Marie M. Gosney

Elizabeth Kay Gibson

3200 N Highway A1A, Apt 801; Fort Pierce, FL 34949
772-489-2141

Email: beachhouse801@yahoo.com

November 17, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-31
Washington, DC 20590

Reference: Environmental Impact Statement, All Aboard Florida

Dear Mr. Winkle:

Published statements issued to the Press by the Commissioners of St. Lucie County Florida take exception to many assertions within the Environmental Impact Statement that was produced by All Aboard Florida. A reading of those statements indicates that AAF has attempted to give the impression that their tracks run through the undeveloped hinterlands and would have little to no impact on the general public of this part of Florida known as the Treasure Coast. That impression could not be farther from the truth.

My husband and I are relative newcomers to Florida so we are not personally familiar with many parts of the state through which the FEC tracks pass. We are intimately familiar however with a section of St. Lucie County known as St. Lucie Village, a small historic community – one of the oldest in St Lucie County – which has five streets which lead from Old Dixie Highway to the quaint community – each of those five streets crossing over the single rail track. (Old Dixie Highway was the original north-south route prior to construction of Route 1 which was the north-south route until I-95 was constructed in recent years.) It is in this St. Lucie Village area that AAF is proposing the addition of two more sets of tracks of as much as five miles in length that would provide the ability to shunt off sections of freight trains so as to allow the unimpeded passage of the 100-mph passenger trains.

On the attached document titled St. Lucie County Preserves, I have encircled on the map the area where this trackage would be placed. As you can see, St. Lucie County has four Preserves in that same area. Preserve 27 "Harbor Branch" is newly acquired and plans are being formulated to develop it for use by the public. The parking area for Preserve 2, Indrio Scrub, is just feet from the west side of the present trackage for Florida East Coast Railway. Preserves 3 and 4, D. J. Wilcox and St. Lucie

Village Heritage Park are located entirely to the east side of the present track and appear to abut the railroad's right of way.

Preserves 2, 3, and 4 are all developed with improved trail systems. On Preserves 3 and 4 St. Lucie County has spent thousands of dollars adding amenities such as viewing stands, trail benches, picnic tables, and interpretive signage. These Preserves are a wonderful resource for all of the County's citizens but especially its families.

St. Lucie Village Heritage Park is especially important in that it is utilized for teaching our local history which is very rich, dating back to the period of the Seminole Wars which were actively fought in this area. The entrance into the trail network at this park includes a large playground which is a favorite place for families on weekends and during the week when schools are not in session.

In addition to the overall Preserve map I also enclose interpretive trail maps for the Indrio Scrub, D. J. Wilcox and St. Lucie Village Heritage Park. People are used to the slow-moving freight trains which historically have passed through St. Lucie County for decades. However I believe it is inappropriate for 100-mile an hour trains to transit through this area 32 times a day cutting off access to the natural areas and history of St. Lucie County and potentially endangering individuals, particularly young children, who live and visit this area.

In 1952 my father's truck was struck by a train in the State of Massachusetts when railroad warning signals failed to operate properly. He and his worker were injured, but they survived. A week later an entire family was killed at that crossing. I am well aware that anything mechanical can fail on its own and/or because of human failure. In an area like St. Lucie Village where no less than five roads plus many driveways and pathways pass over the railway's tracks and where visitors to the public Preserves may be unfamiliar with the potential hazards that await them, it will be only a matter of time before we are witness to accidents.

On these considerations alone, I would ask your office to deny approval and construction of this ill-thought enterprise.

Sincerely,



Elizabeth Kay Gibson

Cc: Board of Commissioners, St. Lucie County

Enclosures: St. Lucie County Brochures:

"St. Lucie County Preserves"

D. J. Wilcox Preserve Interpretive Trail

Indrio Scrubs Interpretive Trail

St. Lucie Village Heritage Park Interpretive Trail

Date 11/1/14

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances,. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or businesses in St Lucie County or the City of Fort Pierce.

Respectfully yours,



3200 N. Highway A1A Apt # 905
Fort Pierce, FL 34949-8807

Sept. 21, 2014

Dear Sir,
we are an elderly couple who
live on an island, with a
draw bridge and railroad
tracks to cross to get to
U.S. I.

This proposed new train
would be a great hardship
for us. Possibly a danger.
Please stop this train.

Thank You -
Dr. and Mrs. Edward Duffy

3207 S. LAKEVIEW CIR. #6
FORT PIERCE FL 34949

Date 11/12/14

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

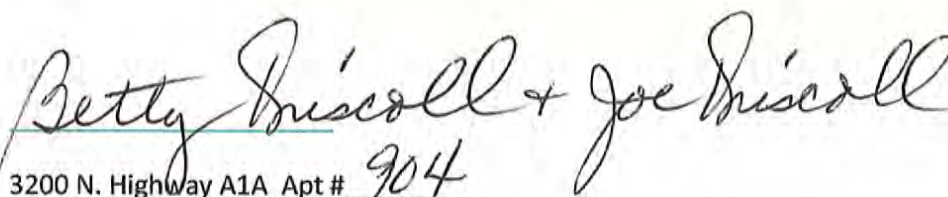
We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances,. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or businesses in St Lucie County or the City of Fort Pierce.

Respectfully yours,


3200 N. Highway A1A Apt # 904
Fort Pierce, FL 34949-8807

November 5, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, S.E. Room W38-31
Washington, DC 20590

Dear Sirs:

Having looked over the 522-page report by consultants commissioned by the Florida East Coast Railroad, I am compelled to weigh in on All Aboard Florida's (AAF) plan, which provides more questions than answers.

The first of dozens of reasons against the AAF proposal is the Federal Government should not finance a private venture that will not succeed and leave tax payers paying the bill. No one will ride this train between Orlando and Miami when you can rent a car and get there cheaper and faster. We already have the cheap train Amtrak offers from Orlando to Miami for \$43 and it takes five hours with a nice view of central Florida – probably in a rail car all to yourself.

If it costs \$100 per person, what family of four is going to spend \$400 to take the train from Maim to Orlando when they can rent a car, get there quicker at a fraction of the cost?

It makes perfect sense for you to finance a real bullet train – like the ones they use in China – in the Turnpike right of way as originally proposed. The Treasure Coast Chapter of the American Institute of Architects unanimously agreed that no high speed rail should run through the downtowns of all the cities from Sebastian to Tequesta. The western route is the only possibility to spare the destruction of the communities affected by the current proposal. A real bullet train makes sense, and it would be much faster than 110 mph. People will ride it. It might not initially pay for itself, but it would be infrastructure in place for years to come. That was the original plan for the bullet train when voters approved it by constitutional amendment.

Sad to say, but AAF is little more than an attempt to scam the Federal Railroad Administration into subsidizing expansion of FEC Railway lines to accommodate cargo coming through the Panama Canal for the newer, deeper South Florida ports. Let them find private investors to pay for their additional tracks and improvements. If the numbers are there, investors will come. Please don't allow AAF to sucker the Federal Government into financing a project that has no chance of success. We have yet to see a feasible ridership study to justify this \$1.6 billion in tax payer money.

Before the Federal Railroad Administration approves any financing of All Aboard Florida as currently proposed, you must consider the devastating impacts to property values 4,711 waterfront property owners west of the Stuart FEC Crossing at the St. Lucie River. They live along the North and South Forks of the St. Lucie River and their property values are a direct function of their ocean access. If the railroad bridge is only open for boats less than 20 minutes per hour – based on current freight trains and the 32 proposed passenger trains during daylight

hours – then the traffic jam of boaters trying to go boating will be a serious danger to navigation to and from the St. Lucie Canal, which connects to Fort Myers and the Gulf of Mexico. There are also thousands of St. Lucie County boaters who won't be able to go to the Gulf or enjoy the South and North Forks of the St. Lucie River. There are plenty of tales of 40-minute waits in heavy currents for the Stuart railroad bridge to go back up and again allow boater traffic to go east or west.

The same is true for thousands of waterfront property owners west of the much lower railroad bridge in Tequesta. For unknown reasons, this ill-advised proposal does not include an additional rail crossing at the St. Lucie, Loxahatchee or Miami Rivers. These are obvious choke points for rail and boating traffic. The choke point in Stuart is just minutes away from the St. Lucie Inlet where boaters can reach the Atlantic Ocean after crossing the state from the Gulf of Mexico in Fort Myers.

The last argument against any federal money for AAF is the damage that will be done to the small towns in the wake of this shameful attempt to push this through against the opposition of virtually every citizen from Sebastian to Tequesta.

Officials from Indian River, St. Lucie and Martin counties are extremely concerned about the negative impact on emergency vehicles in life threatening situations. And they will tell you people will die if this project is approved.

This is not the route for “allegedly” high speed rail as proposed and please don't give them money to wreck our way of life and destroy our property values.

Sincerely,



Lori Van Dien
Ridge Ave, Fort Pierce, Florida, 34982

October 28, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle:

We live within Fort Pierce City limit on North Hutchinson Island. We firmly oppose the All Aboard Florida's planned hi-speed passenger rail service.

All Aboard Florida plans to operate as many as 32 train trips a day between Orlando and Miami. This proposal will add to the currently 16 freight trains. As many as 48 trains will be crossing the intersection at A1A and North Federal Highway, which is the only exit point from North Hutchinson Island in St. Lucie County. The same scenario applies to exiting the north end of South Hutchinson Island at the intersection of Seaway Drive and US 1.

Whether we travel to conduct any City, County or Federal government business, shopping or seek medical services, including emergency, we must crossover the causeway. The addition of All Aboard Florida's planned high-speed passenger rail service as proposed will create potential delays for emergency response for police, fire and ambulances. The passenger trains will run an additional 3 to 4 more delays per hour between 7 a.m. to 9 p.m. This is unacceptable.

We believe there is no advantage to the residents or business in St Lucie County or the City of Fort Pierce.

Respectfully yours,

Robert DeSalvio
Eileen DeSalvio

David L. Dale
4701 S. Indian River Drive
Ft. Pierce, FL 34982

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E.
Room W38-31
Washington, DC 20590

Dear Mr. Winkle:

I attended the FRA meeting at the Port St. Lucie Civic Center on November 6th. First let me express my dismay at the way the meeting was structured. There was no opportunity to let others know my opinion except to put a piece of paper into a black box.

But the most revealing thing was that one could not tell the difference between FRA and AAF representatives. They both just touted the supposed benefits and downplayed the very real deficiencies of the plan. Very disappointing. At the least I had hoped that the FRA people would be neutral.

The damage to those of us who live in the affected areas (or should I say infected areas) is well known. The greatly increased noise, vibration and pollution, the delay in response time for ambulances and fire trucks, the drop in property values, the devastation to the vitally important marine industry, etc, etc.


In addition to these there is one other that has been largely overlooked and that is the danger to wildlife (the trains will pass through five preserves and state park refuges) both to their lives (they are accustomed to trains going 50 MPH, not 110 MPH) and to their breeding habits. Any wildlife biologist will testify that the vast increase in vibrations and noise will have a negative effect on breeding. This was completely glossed over.

The animal population in these preserves include a number of federally designated endangered and protected species such as the bald eagle, the scrub jay (about which the Audubon Society has already expressed concern), gopher tortoises, alligators and others possibly even including Florida panthers, of which there have been a number of credible sightings.

AAF may even be violating the federal laws that protect these species and if so the FRA will be complicit in this violation.

I urge you to reject the AAF application for the \$1.6 billion in taxpayer funds. To inflict this damage on us and then want us, as taxpayers, to pay for it surpasses all belief. This is akin to forcing prisoners to dig their own graves.

Sincerely;



David L. Dale

1701 Gulfstream Avenue
Apartment 723
Ft. Pierce, FL 34949
December 2, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE
Room W38-31
Washington, DC 20590

Re: Draft Environmental Impact Statement on All Aboard Florida

Dear Mr. Winkle,

I am writing to express the opposition of my family and me to the current plan by All Aboard Florida (AAF) to provide passenger train service between Miami and Orlando. Our concerns are many, including but not limited to: public safety, health, environmental, economic, navigation, marine industries, municipal budgets, noise/vibration, community cohesion, and quality of life.

We are well aware of the benefits of mass transit and support it as a way to ease our congested roads. That said, we do not support AAF as currently proposed. It offers nothing to the Treasure Coast. It won't ease congestion in our area, because AAF will travel through, but not stop, in this region. Flying through the Treasure Coast 32 times a day, AAF offers this region none of its services or benefits, but it requires that we absorb all of its harmful effects. Hundreds of thousands of people and the land on which they live and work get all of the negatives and none of the positives. That should not be allowed to take place. There are reasonable alternatives.

We live in Ft. Pierce, in an area that is on the east side of the tracks. Our citizens are mostly people of modest means. Many are elderly; many are minorities. They will not be able to utilize AAF, but they will have to absorb its negative effects. This is an old city that still has small businesses and residents housed in quaint, historic buildings surrounding the railroad tracks. They will be damaged. All of our public services, schools, shopping, etc. are located on the other side of the tracks. Our towns will be cut in half, with constant delays, inadequate crossings, and costly maintenance.

Although we are residents of Ft. Pierce, the above described factors will be present in the other counties around us who will have AAF rolling through, but not stopping for passengers or freight. Individuals who own homes or businesses in the area will see their property values plummet and business revenues decline. Tourism is a major factor here, but AAF will bring us no tourists.

In short, the disruption and environmental damage from AAF will have a huge negative impact on our people and the economy of the Treasure Coast. The draft Environmental Impact Statement (EIS) is incomplete, misleading, and ignores the facts about the negative effects of AAF on our region. If it is true that the report was funded by AAF, then its inadequacy comes as no surprise. In short, the decision-making process reflects a flawed system, in which it appears that the outcome is predetermined. This is unfortunate, as it results in public cynicism. A common view is: "Money talks. This is a done deal. Nobody cares about our region."

As for specific observations about the draft EIS, I incorporate by reference in this letter the various comments that have been already presented to you from the City of Fort Pierce, the County of St. Lucie, elected representatives and municipal authorities, as well as numerous civic organizations from across our region. Please consider my and their comments in preparing your final report.

There must be a better way to bring passenger train service to south and central Florida. There are reasonable alternatives that must be explored. As currently proposed, AAF is a bad deal for the Treasure Coast. It requires our region to absorb all of its negatives but receive none of its benefits. We are a large region with a large population. Please do not ignore us. Many unanswered questions remain. Please help us get the answers.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink that reads "Dan M. Cushman". The signature is written in a cursive, flowing style.

Dan M. Cushman

Diane Caldwell

November 9, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S. E.
Room W38-31
Washington, DC 20590

Dear Sir:

I am writing to express my concerns regarding the "All Aboard Florida" high speed railway project slated for deployment in my area in the near future.

I am concerned that trains traveling through the area at 110 MPH will pose a danger to the residents.

I am concerned that the 16 round trips (32 total speed throughs per day) will snarl traffic, and those of us who have to work for a living will spend our lives waiting for trains to finally go past. You say the inconvenience to auto traffic will be minimal. What if there is a breakdown? What if there is vandalism to the train tracks causing a derailment? The delays could be lengthy. Under the current train system, I have to wait 10 minutes for regular trains to go by. How long will I have to wait in the future? Will I have to pack a tent, sleeping bag, non-perishable food and emergency water just to make a trip from home to the mall in the next county?

I am concerned that emergency vehicles (police, fire, and ambulance) will not be able to assist those who are in need due to endless waiting for trains to get through town. How many people will die courtesy of the All Aboard Florida trains?

As far as the "homeland security" aspect of "All Aboard Florida", that is nonsense. If the people responsible for the security of the nation want to insure traffic flow through the state, and are concerned terrorists might attack I-95, the LAST place to put high speed rail is right next to I-95! Anyone with an ounce of sense would realize the best place to run this boondoggle of a train would be in the center of the state where it would only inconvenience the occasional cow, and some scrub palms trees.

The reaction to this dubious project might be more positive if there were ANY benefit accruing at all to the people living on the east coast of Florida whose lives, towns and roads are going to be demolished by the endless procession of 110 MPH trains.

We do not want these trains. Please do not bring them to Martin, St. Lucie, and Indian River Counties.

Thank you

Diane Caldwell

TO: **Mr. John Winkle, Federal Railroad Administration**
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

FROM: Amy Boyd
3790 Spinnaker Court Fort Pierce, FL 34946

It is not just a little problem of impatient "yachties" waiting. As illustrated by Barbara Cook, The St. Lucie River is not just another Florida river. It stands apart from the New River and Loxahatchee River and Miami River because it is not merely a vessel thoroughfare through some county roads. It is the equivalent of the Panama Canal for vessels transiting via the Okeechobee Waterway from the Atlantic Ocean to the Gulf of Mexico. Just as the Panama Canal is the only way to get from the Atlantic to the Pacific without going around notorious Cape Horn, the Okeechobee Waterway is the only way for vessels to transit from the Gulf of Mexico to the Atlantic Ocean without going south around the Florida Keys (for shallow-draft vessels) or Key West (for deep-draft vessels).

The railroad trestle across the St. Lucie River in Stuart is the motor vehicle equivalent of a traffic bottleneck closing Interstate 95, possibly for the majority of each daylight hour, considering All Aboard Florida plans of 32 transits per day, with most, if not all, during daylight hours. In its closed position, the trestle allows passage of boats that require clearance of less than of 6.2 feet, only the tiniest of boats. The trestle is not just another modern drawbridge. It is an ancient 100-year-old mechanism that opens and closes with the speed of a backward-facing turtle. It thus requires closures commencing well in advance of any approaching train, with sufficient advance time to alert and slow commercial barge traffic to complete passage prior to commencing its downward path. The Environmental Impact Statement says a closure cycle takes 15 minutes. That is not what I and others have measured, from red light to green light to coordination with opening the old Roosevelt vehicle bridge a few feet to the west of the trestle. Every time I have passaged the trestle, it takes 30 minutes to complete an open-and-close cycle, measured from the time the trestle red light heralds an approaching train, when vessels must halt their approach and when the old Roosevelt bridge tender will no longer open on request, including the time when the train passes sufficiently far to permit commencement of the closing process, to the time the green light once again allows passage of vessels and the old Roosevelt Bridge tender will once again open on request "after vehicle traffic clears".

The plan is for 32 All Aboard Florida mostly daylight-traveling trains. Add that to the current 22 freight trains. Even assuming all the freight trains travel at night (which they do not), at 30 minutes per event that is 16 hours when boat traffic cannot passage! That is more daylight hours than there are in December. That effectively closes down Florida's Panama Canal completely to the thousands of vessels that pass through the St. Lucie Lock on their passage from the Gulf of Mexico to the Atlantic Ocean. Those vessels include the new yachts that manufacturers bring to and from the boat shows in Miami, Ft. Lauderdale, St. Pete, Newport and beyond, the many commercial barges, the yachts of cruisers and snowbirds headed home or to the Bahamas or to the Gulf on their way to Mexico, Texas and other states north and west, as well as the many casual recreational local boaters who live on the west side of the trestle.

*It is not just about impatient yachties having to wait. **The Okeechobee Waterway is a lifeline for Florida vessels transiting between the Gulf and the Atlantic, a lifeline that All Aboard Florida threatens to choke to its waterway death.***

Sincerely,
Amy Boyd

117 South Indian River Lane
Fort Pierce, FL 34982
October 12, 2014

Dear Mr. John Winkle,

How can there be a honest, clean and believable - "Draft Environmental Impact Statement (DETS)" for All Aboard Florida. All Aboard Florida has picked the group and paid the people who will write the statement. There should have been an independent group, with no strings attached. Of course it is going to say what they "All Aboard Florida" want it to say. This additional R/R line will not only hurt our environment, but also hurt many of the citizens who live in the community, through which those tracks will so terrible violate. The loud noise and rumbling of the earth is a real violation of those small quite communities, there are a lot of better ways to spend our hard earned tax dollars. This just is not Right !!

Can you please help, do the right thing and don't allow them to get the 1.6 billion dollars of tax payer's money.

Keep it out of the political arena. Please.

Michael Shuff
(772) 359-6030

please contact anytime

November 10, 2014

John Winkle
Transportation Industry Analyst
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

It is my pleasure to write on behalf of the Greater Fort Lauderdale Alliance, the official public/private partnership for economic development in Broward County. Our mission is to focus on creating, attracting, expanding and retaining high-wage jobs and capital investment in our region, develop more vibrant communities, and improve the quality of life for our area's citizens.

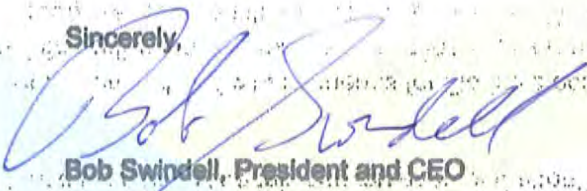
All Aboard Florida is a welcome relief to the growing challenges we face in mobilizing people to and from some of our most populous cities. It will provide tourists, business and leisure travelers alike with a convenient, cost-effective travel solution. The project will be able to move large numbers of people, reducing the need for additional automobiles on our already congested highways. We understand there are concerns in regard to boat traffic on the waterways that the All Aboard Florida trains will traverse, and we believe those concerns can be addressed and should be. We also understand there are concerns from residents along the corridor that should be taken into account as well, and we encourage this conversation and attention to their concerns that must be a vital part of the process.

We also understand the importance of this project and what it means for Florida's economy: \$6.4 billion in direct economic impact in the next 8 years; \$653 million in federal, state, and local government tax revenue through 2021, over 10,000 jobs on average through rail line construction (mid 2014 – 2016), and over 5,000 jobs on average per year after rail line construction is completed through 2021.

Therefore, I am writing to express support for the project and to offer any assistance the Alliance can provide in helping this project be a win for the residents and businesses of Florida.

With warm personal regards, I am

Sincerely,



Bob Swindell, President and CEO

cc: Don Robinson, All Aboard Florida

The Honorable Rick Scott

The Honorable Bill Nelson

Secretary Ananth Prasad, P.E.

Alliance: Partnership for Economic Growth

Broward County's Official Economic Development Partnership

www.gflalliance.org

10/27/2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I would like to express my strong support for All Aboard Florida. The project would re-establish passenger rail between two of the state's most congested, visited and populated regions. This new service would have beneficial social and economic impacts for the millions of residents that travel along the state's east coast.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove up to 3 million vehicles on the road per year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida, which are some of the most dangerous in the country, and result in increased productivity for train passengers. We need other transportation choices. In my review of the Draft Environmental Impact Statement, I found the following to be especially true, "The Project would have a beneficial impact on the passenger rail transportation network between Orlando and West Palm Beach by providing potential customers with an alternative means of transportation."

The All Aboard Florida project represents a real solution to the transportation challenges in Florida. I cannot wait to get on board!

Sincerely,

Jeffrey A Pearson
Ft. Lauderdale, FL



November 7, 2014

Mr. John Winkle, Federal Railroad Administrator
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

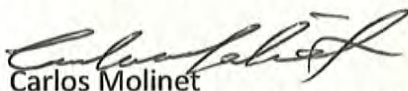
It is my pleasure to write on behalf of the GFLCVB, whose mission is to increase hotel room nights and economic development to the economy of Broward County.

I want to thank you for allowing our staff to learn more about All Aboard Florida and inviting us to witness the unveiling of the Fort Lauderdale train station.

The key to building a balanced transportation network rests in healthy intrastate cooperation. All Aboard Florida offers potential relief to the growing challenges we face in mobilizing people to and from our destination. It could provide tourists, business and leisure travelers alike a travel solution within Florida.

As the initial stages of construction begins, our industry wishes you great success as you resolve any remaining issues and move toward completion in 2021.

Best Regards,



Carlos Molinet
Sr. VP, Greater Fort Lauderdale Convention & Visitors Bureau



10/18/14

Mr John Winkles

I politely ask that you
reconsider putting more trains
thru my lovely, small town
of Fort Pierce

The tracks crisscross all thru
Fort Pierce and would heavily
impact Indian River Drive,
St. Lucie Village and many
other areas.

Our best asset is the
beaches and the only way
to reach them is over the
tracks at U.S. #1 and
Seaway

Please do not damage
our town. No A A F!

Sincerely,

Carol Yanaros

Carol Yanaros
1639 Thumb Point Dr
Fort Pierce, FL 34949

OCT 5th 2014.

FREDDY SIEGWALT.
4317 GATOR TRACE DR.
FORT PIERCE FL 34982.

DEAR MR WINKLE,

AS A RESIDENT OF THE TREASURE
COAST SINCE 1975, I WOULD LIKE TO INFORM
YOU OF THE DISAPPOINTMENT FOR THE
"ALL ABOARD" TRAIN WITH NO STOP IN
THIS AREA, WITH A POPULATION OF ALMOST
750.000 PERSONS.

WE SHOULD HAVE AT LEAST ONE
STOP FOR THE TRICOUNTY (MARTIN,
ST LUCIE AND INDIAN RIVER). THE CITY
OF PORT ST LUCIE BY ITSELF HAS A
POPULATION OF OVER 180.000.

YOU ARE THE ONLY PERSON
WHO HAS THE POWER TO GET A STOP
IN THIS AREA. PLEASE CONSIDER IT.

Freddy Siegwalt.

10-2-14

To: John Winkle

Because of the negative impact of All ABOARD Florida, I am very concerned about our Treasure Coast Communities.

I live on S. Hutchinson Is. in St. Pierce and travel thru the Seaway R.R. crossing at U.S. 1 several times per day. Hearing that this crossing will be blocked a minimum of $11\frac{1}{2}$ min. per hour and perhaps more with added freight trains brings to reality just how terribly disruptive this will be to everyone in our community. We get to have the noise, environmental impact, traffic jams, fear of emergency vehicles being tied up, detrimental impact for boaters with the railroad bridge, devaluation of property, negative affects on downtown businesses including the Sunrise theatre - and for this we get to subsidize AAF with our tax dollars

and we get absolutely nothing in return. There will be no stops anywhere on the Treasure Coast. It is a no win situation. It is so invasive and contradictory to the community and all of us who live here. We are saddened as well as outraged that this might be allowed to go through. We feel "railroaded" by a railroad! It would make so much more sense to run the tracks beyond I-95 or the turnpike where there would be minimal impact. Lastly it would certainly be prudent to have the Environmental impact Report done by an independent rather than someone chosen by All Aboard Florida which is a total affront to those of us on the Treasure Coast. I hope that you will seriously consider my comments which are the views of thousands of people who reside on the Treasure Coast.

Thank you for taking time to read
this,

Sincerely,

Mrs. Kay Koch

501 Hernando St.

Port Pierce, 41. 34949

kaykoch@bellsouth.net

Mr Winkle

NO! NO! NO! to the
Ad Alward Trains along
the Treasure Coast. Send
them down the middle of
the state, with spurs east
or west, as appropriate

Rhoda B Jenkins



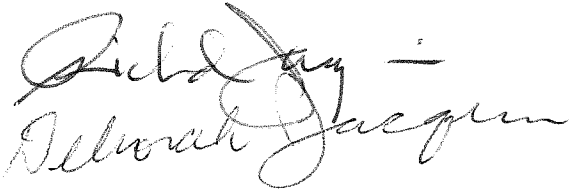
Rhoda B. Jenkins
1725 Mariners Cv Apt A.
Fort Pierce, FL 34950-6949

Message body

All Aboard Florida

As registered voters and residents of North Hutchinson Island we strongly protest the proposal of the passenger train service from Orlando to Miami there are only 2 ways off of our Island and 1 is a draw bridge that is very busy during all seasons there is no economic advantage for St Lucie County or the state as most if not all passenger trains are subsidized by the federal government high speed trains of up to 100 mph traveling on dated tracks and rail beds only bring safety concerns, pollution and traffic jams I hope Floridas legislative leaders look long and hard at this proposal and vote NO

Sincerely
Richard and Deborah Jacquin
3210 So Lakeview Cir #206
Ft Pierce Florida 34949

Handwritten signature of Richard and Deborah Jacquin in cursive script.

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I believe that this is a very ill-conceived plan which will negatively impact residents of Martin and Palm Beach Counties. In this day and age where quality of life issues are becoming more important, this plan is a loser. Safety has clearly been minimized as a priority, so we can only assume that corporate interests are paramount to your agency, which I find shocking. This is the time to stop this plan, before millions are spent and residents are harmed. You have an opportunity to avoid tragedies BEFORE PEOPLE ARE HURT. please consider it your civic duty to do so.

Sincerely

Neer Kodu fssa
10550 SE Jupiter
Narrows Dr
Hobe Sound, FL
33455

If you need additional space, please attach a second sheet to this page

6142 SE Georgetown Place
Hobe Sound, FL 33455
October 7, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

Emergency vehicles access needs to be addressed much more fully in the EIS. According to the All Aboard Florida website, AAF "is committed to working with city and local officials to ensure that appropriate communications and logistics are in place so that response times for emergency vehicles are not impacted."

These communications include publishing schedules for crossing closures so emergency vehicles are aware of potential blockages ahead of time and additional warning measures to alert these vehicles of any schedule changes.

But none of these address the real problem. In an emergency, ambulances and fire trucks must take the most direct route to the problem area. Rerouting such vehicles to a more indirect route could result in serious injury or even death. Further, while AAF trains are supposed to pass through crossings in "less than 60 seconds," that time alone could be critical to the patient being transported. Finally, the reality is that only the first car in line faces such a short delay. In season, an ambulance could easily be number 15 in line, thus facing a more extensive delay that the passenger may not survive.

These delays of life-saving vehicles must be considered as critical, negative impacts in the EIS. People's lives are at stake.

Sincerely,


Rose Fallon



Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I've been a south Florida resident since 1957.

If AAF is able to proceed and freight traffic increases, 52+ trains per day will turn into a nightmare.

1) Life safety issues

2) In small coastal communities, homes will be unlivable and unmarketable. People will be bankrupted.

3) Businesses may have to close - jobs lost!

4) Old bridges can't handle increase, plus more frequent closures and traffic back-up.

Flagler opened up south Florida when it was pristine. He had vision but I don't believe this was his intent.

There are frequent train mishaps now in addition to fuel tank/storage, highly flammable at or in close proximity to tracks, Dangerous.

All Aboard Florida Intercity Passenger Rail
Project
Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Personal Information:

<i>Norman R. Ellis</i>
<i>11078 S.E. Sea Pines Circle</i>
<i>Hobe Sound, Fl. 33455</i>
Please provide your email address if you would like to receive notification when the FEIS is available

November 26, 2014

To: Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE. Room W38-311
Washington, DC 20590

Re: All Aboard Florida (AAF)

Dear Mr. Winkle,

In May of 1997, my wife and I purchased a piece of property in fee simple and improvements on the east side of and adjacent to the Florida East Coast (FEC) Railroad tracks. We later learned that the tracks had at one time been a double track through the area, which is today a single track totally dedicated to freight transportation. When we purchased we were concerned about our proximity to the tracks and, subsequently, took action to modulate its noise and vibration impact on our enjoyment of our new home by planting a large number of trees both on our property and unimproved property closer to the tracks with permission from the owner. Subsequently, we added an addition to our home that included two bedrooms and a screen porch on the west side of our property facing the tracks. We, also, had a contractor fill with cement the hollow portion of the concrete brick construction giving us a total concrete barrier between the train and our living quarters. Ultimately, my wife and I chose to retire here in Florida, and we have now lived happily in that home for the past 17 years. We have been conscious of the fact that the freight traffic has become heavier, the length of the trains increased, and more recently, the number of trains more frequent.

I am a lawyer by training who has had a career in a private practice, served as a Public Service Commissioner in the State of Missouri, was a charter member of the United States Postal Rate Commission, and then served 23 years as a corporate executive prior to retirement. As a Public Service Commissioner, I conducted hearings authorizing the take-off of intrastate passenger travel of the railroads then serving cities between St. Louis and Kansas City. The railroads were in a contest not to be the last trains authorized to discontinue service between the two cities. At the Postal Rate Commission I participated in the first rate case that authorized, among other things, raising the first-class stamp rate from six to eight cents. That first rate case lasted a full year and a half and involved drafting the rules of procedure, hearing the evidence presented by the postal service employees and customers, and making findings of fact and conclusions of law.

My wife went to work for IBM as a programmer in 1958 and then founded her own information technology services business, Systems Service Enterprises, Inc. (SSE) in 1966 that continues to this day under the leadership of our daughter. My wife was privileged to serve on the Eighth District Federal Reserve Board in St. Louis for five years, concluding her term as Chairman of the Board for the last two years.

At issue is the FEC's initiative called All Aboard Florida (AAF) to introduce high-speed rail passenger service between Miami and Orlando on its freight tracks. We will not attempt here to address the laws governing the administrative hearings and the denial of the right of cross examination by the railroad's procedures, which presumably will be addressed by the courts. Suffice it to say that the FEC Open Hearings on the Environmental Statement (EIS) draft, denied the right of citizens to be heard. The hearings were a sham. There was no hearing; it was only an opportunity for the FEC to educate the attendees about its AAF proposal.

The key concerns are summarized as follows:

Transportation:

The idea that the yet to be built locomotives, pulling passenger trains a 110 miles per hour through populated areas of the Treasure Coast, is ill-conceived. First of all, the locomotives to pull such passenger trains have not been designed yet; and no contracts for their production and delivery have been signed, in so far as any public notice has been given. Further, there is no information available about the design of the train passenger cars themselves. The public has been required to rely only on the statements from the AAF that their target for operations is sometime in 2016.

Safety:

Safety concerns have not been addressed. In fact, the only information from AAF has been that they plan to use existing rail facilities used for their freight trains, which do not travel at more than 60 miles per hours, and only then have limited space along the rail lines.

We were told by AAF representatives at the Public Open Hearing that we attended on Salerno Road on Oct. 30th that there were plans for new train signals along the line which would be specifically designed for the new high speed trains, but no further information is available. The idea of using existing freight facilities for passenger trains travelling at 110 miles per hour is without merit.

Emergency Response:

The Hobe Sound area where we own residential property along the existing freight line is accessible only by crossing the railroad tracks; and, therefore in cases of emergencies, with the increased number of closed crossings the first responders would be delayed getting critically injured or sick patients to hospitals or emergency rooms.

Real Estate Values:

The increased number of freight trains along with the addition of 32 high speed passenger trains each day will clearly reduce the value of our property that abuts the tracks. Adding a second track will literally cut into our property, further reducing the size and value.

RIFF Loan:

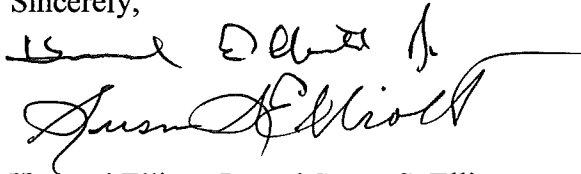
There has been little information about the application of a loan for \$1.6B from AAF other than the fact they plan to apply for such a loan. Such a loan will require backing by taxpayer dollars, in spite of the fact that there has been no profitable passenger travel since the 1960's.

Infrastructure:

Trying to utilize the 1930's infrastructure for a 2016 up to date transportation system is not feasible. The bridges have all they can do to handle existing freight traffic, much less trying to accommodate high speed passenger service. The St. Lucie and Loxahatchee railroad bridges badly need replacement now, as opposed to later, and certainly cannot accommodate high speed passenger travel.

In conclusion, a more rational approach to the concerns about AAF and the Treasure Coast would be to install the proposed passenger rail tracks along a new right-of-way west of the Treasure Coast connecting Miami to Orlando. Another alternative would be to utilize the existing CSX lines west of the Treasure Coast, or both. Recently, the Stuart News had an article that suggested building tracks from West Palm along the I95 and Toll Road right-of-way. Regardless of the alternatives available, it is critical that AAF be stopped so that we can preserve the peace and beautify of Florida's Treasure Coast.

Sincerely,

Handwritten signatures of Howard Elliott, Jr. and Susan S. Elliott. The signature of Howard Elliott, Jr. is on the left, and the signature of Susan S. Elliott is on the right, with a long horizontal line extending from the end of her signature.

Howard Elliott, Jr. and Susan S. Elliott
6820 SE Wood Lark Lane
Hobe sound, FL 33455
acelliott@aol.com
sselliott@SSEinc.com



Susan S. Elliott
6820 SE Woodlark Ln.
Hobe Sound, FL 33455
SSElliott@SSEinc.com

November 19, 2014

Dear Mr. Winkle,

All About Florida must be stopped!

There are many reasons, but some of the key ones are:

- Emergency Response Time will be greatly diminished for those of us who live east of the tracks.
- Noise and Vibration will impact property values.

- The RIFT loan of 1.6 billion is insanity. The passenger service will not be profitable and it will fall to the taxpayers to back it up.
- The wear and tear on the bridges built in the 30's could cause them to disintegrate and risk the lives of many on board or boaters standing by.
- They have not provided enough specifics in the EIS.

In conclusion, please ensure that RAS is stopped so we can preserve the beauty and peace of our communities. Sincerely,
 Susan Elliott

All Aboard Florida Intercity Passenger Rail Project
Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

- 1) Private company should not use federal money. They should obtain private funding. Taxpayers should not have to fund something they don't want.
 - 2) Environmental risk to water and air contamination; also to citizens' health.
 - 3) Safety to cars and pedestrians crossing tracks, congestion to ~~60~~ 110 mph through center of town. Really??
 - 4) Delays in emergency response vehicles.
 - 5) No added benefits to most communities - only some temporary jobs and increases in taxes forever.
 - 6) Reduction in real estate values; marine industry, etc.
 - 7) Evacuation routes compromised.
 - 8) Jonathan Dickinson State Park and surrounding preserves jeopardized.
 - 9) Tax increases to citizens for maintenance of crossings, bridges, etc.
 - 10) Single track vs triple track causing choke spots.
 - 11) Concern for integrity of old bridges.
 - 12) Interruption of marine traffic. Wear & tear to bridges constantly opening and closing. Inconvenience to boaters.
 - 13) Will cause closings of small restaurants and businesses in track areas.
- These are just some of the concerns. Please do not downgrade our small towns and communities!
They could run the train further west to avoid coastal communities.

If you need additional space, please attach a second sheet to this page

All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

*** Comments on the DEIS must be submitted to the FRA by December 3, 2014. ***

Optional Personal Information:

Name	WILLIAM DREYER & DONNA DREYER
Address	11085 SE SEA PINES CIR. HOBE SOUND, FL. 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available WILLIAMJD67@YAHOO.COM DONNASD@ICLOUD.COM

Home

Mail

News

Sports

Finance

Weather

Games

Groups

Answers

Screen

Flickr

Mobile

More

Search Mail

Search Web

Home

Barbara

Compose

Inbox (12)

Drafts (2)

Sent

Spam (63)

Trash

▼ Folders

Class Action




GEORGES READING.SA...

Lenny




Saved E-Mails

► Recent

My Games



Recommended Games



More games >












To

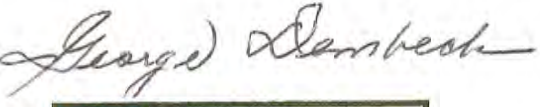
YOUR TOTAL DISREGARD FOR PEOPLES LIVES, SAFETY, FINANCIAL LOSS AND DESTRUCTION OF COMPE


I, AS WELL AS MANY PEOPLE I HAVE SPOKEN TO FEEL THAT YOU DO NOT CARE ONE IOTA ABOUT THE INCONVENIENCE IN SO MANY WAYS AAF WILL CAUSE' THE SAFETY FACTOR BEING BY FAR THE MOST HORRIFIC. ALL THE CROSSINGS THAT WILL NOT BE OPEN DURING TIMES OF ALL TYPES OF EMERGENCIES. THE LOSS OF HOME VALUES DUE TO THE NOISE THAT WILL BE GENERATED. THE INTERRUPTION ON THE VARIOUS WATERWAYS THAT DRAW SO MANY PEOPLE TO FLORIDA FOR FISHING AND BOATING. CROSSING SAFETY IS ANOTHER ISSUE YOU CANNOT SAY YOU COVER ALL ASPECTS OF. NOW, IF YOU WANTED TO DO IT RIGHT, YOU WOULD RUN IT ALONG I- 95 AND BUILD IT AS A MONORAIL. ELEVATED, BUT YOUR REPLY WILL THAT WOULD COST BILLIONS. MAYBE, BUT WHAT ABOUT ALL THE MONEY LOST BY THE VARIOUS ENTITIES I HAVE STATED. I KNOW YOU DO NOT GIVE A DAMN ABOUT THE LITTLE PEOPLE AND I WOULD LIKE YOU TO KNOW WE DO NOT GIVE A DAMN ABOUT ANY OF YOU.

GEORGE DEMBECK
HOBE SOUND, FLORIDA.

Send








Mr. George G. Dembeck
7800 SE Shenandoah Dr
Hobe Sound, FL 33455

Evening, Weekend and Online Classes


West Palm Beach, Florida

GET STARTED

Environmental Justice

Dear MR WINKLE,

Your EIS analysis of the negative effects on various minority and low income communities on the Treasure Coast is neither complete nor accurate.

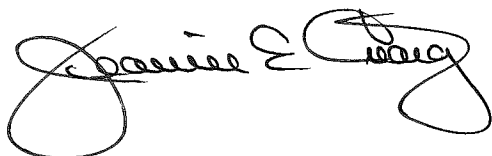
You state on pages S-17 and S-17 that "Neither the E-W Corridor nor the N-S Corridor would result in residential displacement, job loss, or neighborhood fragmentation.." In the Hobe Sound and Stuart area there are several businesses adjacent to your tracks that will suffer lost business and may even have to close entirely as a result of the dramatically increased rail traffic and its effects on the environment.

Further, you may be correct in saying there will be no "residential displacement" because of eminent domain. However, unlike some communities, residents of low income and minority neighborhood homes may not leave because they can't afford to move. In effect, they are not displaced, they are held hostage in an undesirable location and cannot escape the negative impacts of your train service even if they want to.

Your EIS also states on page S-17 that "mitigation would limit any changes in vibration along the N-S Corridor." This presumably refers to the "wheel and rail maintenance" that will diminish the expected doubling of vibration along the N-S Corridor. For minority and low income people living close to the tracks your promise to alleviate this problem is not enough to justify your going forward.

Minority and low income residents near your proposed rail line will be disproportionately impacted by your trains. The project should be dropped.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Smith". The signature is stylized with a large, looping initial "J" and a distinct "S" at the end.

Ridership

Dear MR. WINKLE,

The "ridership" promises for All Aboard Florida in the EIS look overly optimistic. These numbers are unlikely to be attained. This could result in a loan default or immediate request for subsidies.

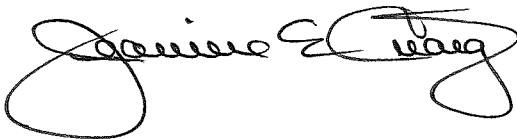
According to the EIS, All Aboard Florida projects to have 3.5 million riders in 2019. At the same time, AAF claims they will take 3 million car trips off the road annually. Both these numbers seem high, and the two contradict each other.

Assuming ridership of 3.5 million per year, that equates to 9,589 passengers per day or approximately 300 on each of the 32 trains. That means 300 passengers on every train every day including weekends, holidays, etc. In comparison, the Amtrak Acela train in the northeast carried only 3.3 million passengers in 2013. Acela serves market areas with a combined population of 38 million. AAF states that "9 million live along the AAF rail corridor." Thus, a huge number of tourists must opt for train trips between Miami and Orlando each year at whatever rate is being charged and with a full understanding that when they reach the Orlando airport they'll need transportation to their next destination.

AAF also claims it will remove "at least 3 million car trips" from roadways each year. Given their ridership expectation of 29% solo travelers and 71% multiple travelers, we can assume an average of two persons in each of the 3 million car trips or 6 million in total. That equates to approximately 16,440 riders per year or 514 passengers on each train.

The question is: which numbers are correct? Regardless, both sets seem too high and the likelihood of default or subsidies being needed rises accordingly. The requested loan should be denied.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Wang". The signature is fluid and cursive, with a large loop at the beginning and end.

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. SE, Room W38-311
Washington, D.C. 20590

November 8, 2014

Lance Craig
8243 SE Cumberland Circle
Hobe Sound, FL 33455

I am writing to point out that the Draft EIS for the All Aboard Florida - Miami to Orlando Passenger Rail Service fails to address the new concern of high speed train collisions with cars, trucks, and busses at grade crossing. The draft EIS addresses collisions between trains and with wildlife, but is silent on collisions with vehicular traffic. Nowhere are the effects of a 70+ mph train with a vehicle at a grade crossing addressed. With the momentum of the train proportional to the square of the velocity, it is apparent that the impact would be far greater than a 50 mph freight train. This possibility should be addressed and evaluated. Such a collision in downtown Stuart (or other crossing with dense vehicle and pedestrian concentrations, would result in devastating consequences. The vehicle may be propelled off the FECR right of way and into pedestrians, other vehicles, and structures. These passenger trains should be restricted to the same speeds as existing freight trains through the many small downtowns that do not have much separation or barriers adequate to prevent secondary collisions. Or, adequate barriers, fencing, etc. should be required.

The Draft EIS also mentions a system to be installed in Jonathan Dickinson State Park to detect vehicles on the access road and stop the train if necessary to prevent a collision. I do not see any such system mentioned for downtown grade crossings. I would think that this would be a requirement in higher traffic areas other than the park, as stalled vehicles on grade crossings are much more likely in downtown areas. This mitigation system should be required at all crossings in cities and towns, at a minimum.

The EIS also fails to discuss or evaluate the derailment of a high speed train in a city environment. The higher speed would appear to have more impact than a slower freight train. Would the train be contained on the FECR right of way? Despite track and rolling stock maintenance, there is a history of freight derailments along the Treasure Coast. With higher speeds, would the derailed train cars or engines stay in the FECR right of way, or would pedestrians and property owners be at risk?

These concerns should be addressed, evaluated, and minimized with mitigating actions before the trains are running at high speed through confined downtown cities and towns. Simply comparing this added hazard to a reduction in I-95 accidents does not address the added impact along the tracks of the high speed passenger trains. One has a choice to use I-95 with its risks, but we have no choice and no benefit from the impact of the trains.

Your consideration of these concerns is appreciated.



Lance Craig

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. SE, Room W38-311
Washington, D.C. 20590

November 8, 2014

Lance Craig
8243 SE Cumberland Circle
Hobe Sound, FL 33455

I am writing to point out that the Draft EIS for the All Aboard Florida - Miami to Orlando Passenger Rail Service fails to address the new concern of high speed train collisions with cars, trucks, and busses at grade crossing. The draft EIS addresses collisions between trains and with wildlife, but is silent on collisions with vehicular traffic. Nowhere are the effects of a 70+ mph train with a vehicle at a grade crossing addressed. With the momentum of the train proportional to the square of the velocity, it is apparent that the impact would be far greater than a 50 mph freight train. This possibility should be addressed and evaluated. Such a collision in downtown Stuart (or other crossing with dense vehicle and pedestrian concentrations, would result in devastating consequences. The vehicle may be propelled off the FECR right of way and into pedestrians, other vehicles, and structures. These passenger trains should be restricted to the same speeds as existing freight trains through the many small downtowns that do not have much separation or barriers adequate to prevent secondary collisions. Or, adequate barriers, fencing, etc. should be required.

The Draft EIS also mentions a system to be installed in Jonathan Dickinson State Park to detect vehicles on the access road and stop the train if necessary to prevent a collision. I do not see any such system mentioned for downtown grade crossings. I would think that this would be a requirement in higher traffic areas other than the park, as stalled vehicles on grade crossings are much more likely in downtown areas. This mitigation system should be required at all crossings in cities and towns, at a minimum.

The EIS also fails to discuss or evaluate the derailment of a high speed train in a city environment. The higher speed would appear to have more impact than a slower freight train. Would the train be contained on the FECR right of way? Despite track and rolling stock maintenance, there is a history of freight derailments along the Treasure Coast. With higher speeds, would the derailed train cars or engines stay in the FECR right of way, or would pedestrians and property owners be at risk?

These concerns should be addressed, evaluated, and minimized with mitigating actions before the trains are running at high speed through confined downtown cities and towns. Simply comparing this added hazard to a reduction in I-95 accidents does not address the added impact along the tracks of the high speed passenger trains. One has a choice to use I-95 with its risks, but we have no choice and no benefit from the impact of the trains.

Your consideration of these concerns is appreciated.



Lance Craig

SIRS,

12/2/14

Re. All Aboard Florida

THE DELAYS IN MEDICAL RESPONSE
AND EMERGENCIES WOULD COST LIVES

PROPERTY VALUES AND QUALITY OF LIFE
WOULD BE DEGRADED

THE OBVIOUS POLITICAL FIX FOR THIS
PROJECT IS EVIDENT, AND AN A FRONT
TO HOME OWNERS AND TAX PAYERS.

A. Lee Craft

A. LEE CRAFT 8095 SE GOLFHOUSE DR.
HOBE SOUND, FL. 33455



A Lee Craft
8095 SE Golfhouse Dr
Hobe Sound, FL 33455-8015

DEAR GOD, PLEASE DO NOT ALLOW SUCH DISRUPTION TO SO MANY FOR THE GREED THAT CAN BE STILL HAD BY A BETTER, LESS, IMPACTED ROUTE! THANKS! WEST

All Aboard Florida Intercity Passenger Rail Project
MY THOUGHTS ARE SAME AS MANY OTHERS
Draft Environmental Impact Statement



U.S. Department of Transportation
Federal Railroad Administration

ALL ABOUT FREIGHT!!! JUST BECAUSE "YOU OWN THE TRACKS" DOES NOT ALLOW SUCH DESTRUCTION TO SO MANY!

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments: YOU DO NOT LIVE HERE & KNOW WHAT A NIGHTMARE THIS IS FOR RESIDENTS & BUSINESSES! BIGGEST IMMEDIATE PROBLEM FOR ME & MHP IS VIBRATIONS & NOISE ALONG W/ RR CROSSINGS. CRACKS IN FOUNDATIONS & WALLS, THINGS FALLING OFF WALLS & BREAKAGE. CAN'T AFFORD TO MOVE AS ONLY \$5 INCOME & AM IN 80'S W/ POOR HEALTH. OFTEN GO FISHING & NAVIGATION WOULD BE A NIGHTMARE IF HIGH WINDS & ROUGH WATER & BRIDGE CLOSURE HAPPEN AT SAME TIME. "SEASON" HERE (TO JAN - JUNE FORMANY) IS NOV-DEC TO MAR-APR & BIG SURPRISES FOR THOSE WHO DON'T KNOW WHAT IS GOING ON W/ AAF AS HAVEN'T COME IN YET. LOTS OF BOATS OUT WHEN WEATHER ALLOWS & SO MANY BRIDGE CLOSURES, WHAT HAPPENS W/ STORMS/HURRICANES? INTEGRITY OF BRIDGES, ESP. & TRACKS ARE OF CONCERN - LOTS OF WETLAND, OCEANS SURROUNDED BY GETTING HIGHER & FEC TRACKS SO CLOSE TO OCEAN & HURRICANES - WE'RE OVERDUE - YOU WANT TO RISK LIVES, FREIGHT (WHO KNOW'S WHAT'S IN IT) - COULD BE HAZARDOUS - CATASTROPHE FOR MANY! MOVE WEST WHERE LESS NEGATIVE IMPACT ON LIFE, BUSINESSES & WILDLIFE - ESP. BETWEEN WPR & ORLANDO.

If you need additional space, please attach a second sheet to this page

LINE FROM COCOA TO ORLANDO OVER A LOT OF WETLAND - SHOULD NOT BE ALLOWED! GO WEST!!!

DO NOT DESTROY TREASURE & ACT - MARTINI & MINTV!!!

BACKUPS OF TRAFFIC WAITING FOR TRAINS ARE ESP. DANGEROUS FOR EMERGENCY VEHICLES. BESIDES LIVES BEING IN DANGER, BACKUPS AFFECT THE CROSSROADS ON HWYS WHICH CAUSE MORE PROBLEM AS MONTERY & COLORADO AVE IN STUART - SALARNO & COVE RD'S & WORST IS "CONFUSION CORNER" D/T STUART!

DISTURBANCE OF SLEEP W/ NOISE & VIBRATION!!!

PLEASE, PLEASE GO WEST, PLEASE!!! IMPORTANT

All Aboard Florida Intercity Passenger Rail
Project



U.S. Department
of Transportation

Federal Railroad
Administration

Draft Environmental Impact Statement

NO BENEFIT TO MARTIN CO. ONLY PROBLEMS
& EXPENSE - SAME FOR ALL OF TREASURE

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/PO672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- DEIS DOES NOT ADDRESS OUR PROBLEMS IN MIAMI!!!
- 4) Written comments may be emailed to: AAF_comments@vfb.com.

BIG \$\$\$ DOES NOT CARE ABOUT LESS

Comments on the DEIS must be submitted to the FRA by December 3, 2014. FORTUNATE!

WALKED ALONG WAY TO GET THERE FROM PKQ SPACE-

Optional Personal Information: WENT TO KANE CENTER IN STUART BUT

Name	LEO CONNER
Address	HOBBS SOUND, FL. HOME ^{UP} AGAINST RR TRACKS
email	Please provide your email address if you would like to receive notification when the FEIS is available <u>1conner@rsr@yahoo.com</u>

COULD
NOT
GET
NEAR

"SIGN IN"
TABLE
DUE TO
CROWD!
GLAD!

PLEASE
DON'T LET POWER, GREED & \$\$\$ DESTROY
THE LIVES & LIVELIHOOD OF HUNDREDS OF THOUSANDS
ON TREASURE COAST (RESIDENTS & VISITORS) MARTIN COUNTY WILL BE
ABSOLUTELY DEVASTED BY THE INCREASE IN TRAIN TRAFFIC, ESP
DOWNTOWN STUART. HAVE SPENT MANY YEARS, HARD WORK
& MONEY TO RESTORE & WILL BE EXTREMELY IMPACTED
NEGATIVELY! YOU ARE ALREADY IMPACTING THE DESTRUCTION
OF CORAL REEFS, ETC. IN MIAMI PORT & EVERGLADES, DUE
TO EXPANSION FOR FREIGHT! PASSENGER TRAINS DON'T
DO IT FOR THIS MORTMARE!



Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

trains and who knows how many freight trains running through the back yard. We are about to retire and love our home and surrounding area in Hobe Sound. For that matter we love Martin Co.

We feel that permitting AAF to proceed with their project as planned ~~we~~ would not only drag down our property value but would negatively impact the area and ruin its "specialness." We do not trust AAF - they have their own agenda and obviously have no concern about the impact their project would have here in Martin County. It's all a smoke screen - money making proposition for a few.

If you need additional space, please attach a second sheet to this page

please drop this project.

Sincerely,
Luanne & Clifford Caughy

All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vfb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Clifford & LuAnne Carlsberg
Address	6652 SE Sand Castle Dr. Hobe Sound, FL. 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available Iuanneckiert Iuanneckiert@gmail.com

10/30/14

Dear Mr. Winkle

We moved to our current home in Hobe Sound approximately one year ago. We have remodelled our home spending approximately \$60,000.00 to do so. Our home is located right on the tracks. The tracks literally run through our backyard. Our property value is going to decrease significantly with 32 passenger →

6919 SE Morning Dove Way
Hobe Sound, FL 33455
Nov. 26, 2014

Brickell Federal Building
40 7th Coast Guard District Bridge Branch,
909 SE First Avenue
Miami, FL 33131

Re Docket # USCG-2014-0937

Ladies and Gentlemen:

I am completely opposed to the FAA proposal to install passenger service on their current tracks. They should route passenger service inland and to the west.

The rail bridges do not look up to the job, and any breakdowns will clog up traffic, including ~~both~~ rail, vehicular and boat traffic, for long distances in both directions.

Breakdowns and the proposed schedule of over 30 ~~trains~~ trains / day during day-light hours will play havoc with our use of the waterways. Pleasure boating as we now know it will be dead.

DLT # USC6-2014-0937

The idea of sailing the inter-coastal will be
and idea lost in history because of the mess
this will cause.

Please do everything you can to stop this
crazy idea.

Sincerely,

Robyne Camp

cc Senator Bill Nelson

Senator Marco Rubio

Senator Joe Negron

Rep. John Mica

Rep. Corrine Brown

Rep. David Webster

Rep. Lois Frankel

Mr. John Winkle

Mr. Joseph Szabo

Mr. Paul Nissenbaum

6919 SE Morning Dove Way
Hobe Sound, FL 33455
Nov. 26, 2014

Mr. John Winkle

Federal Railroad Administration
1200 New Jersey Ave., SE, Rm W38-311
Washington, DC 20590

Dear Mr. Winkle;

The environmental harms are too many to list but include killing people on the at-grade crossings, killing more wildlife on the tracks, and both noise and vibration pollution, which will most affect the less-advantaged who live near the tracks.

But what really galls me is loaning my money — tax-payer money — to fund an enterprise with no possible way to repay it and not asking for either guarantees or collateral. We all know there is no possible way to make enough money from passenger rail to repay federal government financing. You are asking me, the tax-payer, and a voter, to finance a real estate and cargo

business, and I resent it.

I would not vote for any elected official who supports this proposal.

Sincerely,

Robyne Camp

cc Gov. Rick Scott

Secretary Anny Foy

Administrator Gina McCarthy

Rep. John Mica

Rep. Corrine Brown

Rep. David Webster

Rep. Lois Frankel

Senator Bill Nelson

Senator Marco Rubio

6919 SE Morning Dove Way
Hobe Sound, FL 33455
Nov. 26, 2014

Mr. John Winkle

Federal Railroad Administration
1200 New Jersey Ave., SE, Rm W38-311
Washington, DC 20590

Dear Mr. Winkle;

The environmental harms are too many to list but include killing people on the at-grade crossings, killing more wildlife on the tracks, and both noise and vibration pollution, which will most affect the less-advantaged who live near the tracks.

But what really galls me is loaning my money — tax-payer money — to fund an enterprise with no possible way to repay it and not asking for either guarantees or collateral. We all know there is no possible way to make enough money from passenger rail to repay federal government financing. You are asking me, the tax-payer, and a voter, to finance a real estate and cargo

business, and I resent it.

I would not vote for any elected official
who supports this proposal.

Sincerely,

Robyne Camp

cc Gov. Rick Scott

Secretary Anthony Foxx

Administrator Gina McCarthy

Rep. John Mica

Rep. Corrine Brown

Rep. Daniel Webster

Rep. Lois Frankel

Senator Bill Nelson

Senator Marco Rubio

6919 SE Morning Dove Way
Hobe Sound, FL 33455
Nov. 26, 2014

Mr. John Winkle

Federal Railroad Administration

1200 New Jersey Ave., SE, Rm W38-311

Washington, DC 20590

Dear Mr. Winkle;

The environmental harms are too many to list but include killing people on the at-grade crossings, killing more wildlife on the tracks, and both noise and vibration pollution, which will most affect the less-advantaged who live near the tracks.

But what really galls me is loading my money — tax-payer money — to fund an enterprise with no possible way to repay it and not asking for either guarantees or collateral. We all know there is no possible way to make enough money from passenger rail to repay federal government financing. You are asking me, the tax-payer, and a voter, to finance a real estate and cargo

business, and I resent it.

I would not vote for any elected official
who supports this proposal.

Sincerely,

Robyne Camp

cc Gov. Rick Scott

Secretary Anthony Foxx

Administrator Gina McCarthy

Rep. John Mica

Rep. Corrine Brown

Rep. Daniel Webster

Rep. Lois Frankel

Senator Bill Nelson

Senator Marco Rubio

STAFF

5

90

DEPARTMENT

WILLIAM H. T. BUSH

10 October 1014

Hon. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE
RoomW38-311
Washington, DC 20590

Dear Mr. Winkle:

I am enclosing an e-mail I sent to the comment line, but I want to re-iterate directly to you the concerns we share about All Aboard Florida.

The advantages to the tourist industry are speculative at best, but there are none to any of the coastal towns between Orlando and West Palm Beach. There is convenient transportation today by bus and trains as well as many flights between Orlando and the South Florida cities. To say that the trains will help stop "global warming" is ridiculous.

The government, furthermore, should not be in the business of making huge, risky loans to entrepreneurs, especially when they finance projects that provide hidden benefits to the borrower. Should the rail system fail, your agency will shore it up with funding for a while. The tax payers will pay.

But if the passenger scheme does fail, the borrower has the tracks for his freight business, a profitable operation, renewed. How do the citizens of South Florida benefit?

Thank you for your attention given this matter.

Sincerely,



William H. T. Bush
104 Rabbit Run
Hobe Sound, FL 33455

TO:

Gina McCarthy
Environmental Justice Administrator
Mail Code: 2201A
1200 Pennsylvania Ave., NW
Washington, D.C. 20460-0001

FROM:

Paul Burke
8271 SE Sanctuary Drive
Hobe Sound, FL 33455

AAF's proposed project is faulty in execution and location.

1. First and foremost we live in a democracy and **citizens rights are being ignored** - this is offensive and unacceptable. All Aboard Florida should not have the right to use century old rules to destroy communities and cultures. How many trains a day are too many? AAF and FECI say they can do whatever they want on the rail lines they own. But what mechanism is in place to protect the public from 32 trains increasing to who knows how many, 100, 200 passenger and 2 mile freight trains running through the county?

2. All Aboard Florida is a private enterprise using public money to benefit itself - another Solyndra in the making. Solyndra owners were well politically connected in Washington and were key political players. They hired lobbyists, lawyers, consultants, contractors and public relations firms seeking financial favors from our government. They were successful. Our government gave them \$535,000,000 in loan guarantees. Within fifteen months, they were out of cash and nine months later they shut down their plant and laid off nearly all their employees. **American taxpayers lost all their money.**

By comparison, Fortress, Inc. a New York based hedge fund's Chairman and principals are politically well connected in Washington and Florida. Their principals have met with Governor Scott several times and their representatives with key Washington Congressional officials. A former Fortress employee is now Governor Scott's chief of staff. They too have hired lobbyists, consultants, contractors, advertising and public relations firms in Washington and Florida to THE TUNE OF 3.5 MILLION TO advance their scheme. In sum, the only difference between Solyndra and All Aboard Florida is their relative size. **All Aboard Florida's loan requests are at least THREE TIMES LARGER.**

3. All Aboard Florida does not qualify for a taxpayer loan or the Private Equity Bonds - RIFF loans are for a different purpose by law. AAF claims it is privately funded with a secret business plan yet over 50% of the cost will be provided by public money. This RIFF loan, if granted, would be a direct payment of taxpayer's dollars by the Office of Management and Budget (OMB) to AAF. If this loan goes into default, United States taxpayers assume all liability. PAB'S are for a public benefit, and dangerous, at grade high speed trains that do not stop in the communities they pass through are not a benefit.

4. All Aboard Florida's EIS claims are unsubstantiated. There is no transparency in examining the AAF ridership study. It is hidden behind a false claim of trade secrets and is off limits to taxpayer inquiry, understanding or review. Citizens deserve to know the truth. What is the need for secrecy? AAF is not competing against anyone. The All Aboard Florida business plan which would show the sources and uses of funds, income statement, cash flow and balance sheet projections are hidden from view. An attempt to obtain them from Florida DOT under the Freedom of Information Act, resulted in an All Aboard Florida law suit against the state, blocking them from being released. Revealing their ridership study between Orlando and Miami has also been blocked from view by their law suit.

5. **At grade crossings are a recipe for death.** Add 32 high speed trains, existing freight, increased freight, and the acknowledge possibility of 74 more Amtrack commuter trains, Sout

East Florida's coastal communities will be changed forever. Good railroads use below grade or above grade tracks- most stations are under the ground. Ride the train from Boston to New York. Ride the Marta in Atlanta. Ride the Metro Link in St.Louis. Ride the trains in Europe to find examples of railway done right.

6. The East coast of Florida has a unique topography and a fragile marine ecosystem. The St. Lucie River is not just another Florida river. It stands apart from the New River and Loxahatchee River and Miami River because it is not merely a vessel thoroughfare through some county roads. It is the equivalent of the Panama Canal for vessels transiting via the Okeechobee Waterway from the Atlantic Ocean to the Gulf of Mexico. Just as the Panama Canal is the only way to get from the Atlantic to the Pacific without going around notorious Cape Horn, the Okeechobee Waterway is the only way for vessels to transit from the Gulf of Mexico to the Atlantic Ocean without going south around the Florida Keys (for shallow-draft vessels) or Key West (for deep-draft vessels).

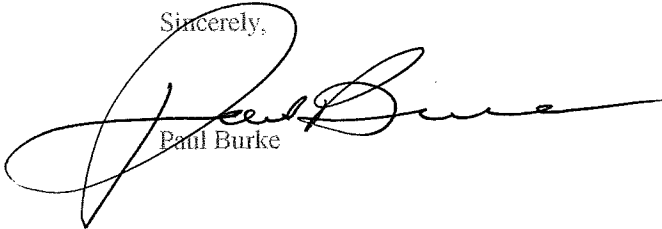
7. These rail tracks bisect communities with elderly demographics - emergency response time will be severely hindered - remember - all crossings are at grade. This activity could virtually cut off the east from the west parts of town, **impede emergency services and reduce commerce due to the relentless flow of trains.** And will the rail cars move from passenger to the more lucrative and consistent freight when revenue falls short of expectations?

8. **Noise and vibration will be horrendous, and disproportionately harm the safety low income and minority populations,** for example at grade crossings in East Stuart, Golden Gate and Port Salerno. All three of these communities are in Community Redevelopment Areas and have significant minority, low income and include limited English proficiency populations. They won't be able to relocate.

9. Florida already has a train that goes from Miami to Orlando - no one rides it - we don't need another one funded by taxpayer expense.

10. Last, is anyone paying attention to the fact that this country is in debt up to its ears? Will the government allow more debt for an absurd project to benefit private enterprise at the expense of taxpayers?

Sincerely,



Paul Burke

cc: **Recipients:** Designated Comments Email as Provided In EIS Draft, Governor Rick Scott, EPA's Environmental Hotline, EPA Administrator Gina McCarthy, Senator Marco Rubio, Ananth Prasad Florida Department of Transportation, Congressman Patrick Murphy, Congressman Paul Ryan

Lena Bunnan
Apt. 7-102
6236 S.E. Charleston Pl.
Hobe Sound, Fl. 33455

Oct. 26, 2014

To Whom it May Concern:

I strongly oppose the "Aft Aboard Florida" project due to potential dangers to diners and pedestrians at downtown intersections, noise, problems for boaters and public safety.

There is so much wrong with the proposal that one page could not list them all!!

Very truly yours,
Lena Bunnan

Nelle W. Temple Brown
7820 SE Little Harbour Drive
Hobe Sound, FL 33455

30 November 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I am a citizen of Martin County, Florida residing in Hobe Sound. I am registering my strong opposition to the proposed FRA/RRIF loan for the All Aboard Florida (AAF) project proposed by Florida East Coast Industries and the Fortress Investment Group hedge fund that owns it. I am seriously concerned about the environmental consequences -- and even more fundamentally concerned about the economic impacts -- of any FRA/RRIF loan for AAF on myself and on other citizens and taxpayers of our county and our country.

What are the hidden agendas?

I feel strongly that FECI and Fortress have been quite duplicitous in the way this project has been presented to the public (and perhaps also to the FRA/RRIF) up to now.

- They say the loan is for a new high-speed passenger service, but the first draft EIS ignores the substantial collateral environmental impacts of the planned expansion of freight service on the newly-constructed second track.
- From the beginning Fortress claimed that there would be no public financing of the project; I witnessed the refusal of Mr. Gonzalez of AAF to disclose publicly to local county commissioners the AAF's financing plans at the Treasure Coast Regional Planning Council meeting of March 21, 2014. Only belatedly and under duress has AAF more recently revealed that the plan is for the principal financing to come from public loan funds of FRA and RRIF (or, more lately, from taxpayer-subsidized Private Activity bonds if the RRIF loan is not forthcoming).
- AAF is still not releasing to the public its expected ridership or proposed ticket price information and indeed, I understand, has gone to court to prevent public release of this supposedly "proprietary" information. Is there really an active competitor in the wings? Doubtful, since almost no regular passenger rail services worldwide are profitable. So what are they trying to hide? After all, won't those of us who are expected to buy the tickets be the ones who will make the route profitable -- or not? How can Fortress and AAF know what the ridership will be

without publishing proposed prices since projected ridership numbers and ticket costs are intimately related?

- Isn't the fact that there is already reasonably-priced TriRail passenger service operating on the most densely-populated section of the proposed route (Miami to North Palm Beach) a good sign that AAF's proposed public loan is based on questionable and unsustainable revenue estimates? The current TriRail service is not operating at capacity -- nor with financial profitability as far as I know -- and only has a ridership base of less than 1 percent of the local population. How many additional, year-round, daily, premium-price riders between these cities and to/from Orlando can you expect from a local population composed in large part of non-commuting retirees with cars, seasonal residents, and occasional tourists who are likely to prefer the convenience of rental cars to schlepping luggage on and off a train?

Is serious collateral is being offered?

Unless there is real collateral offered by Fortress for the loan other than the new passenger-service rolling stock and other AAF "assets", I fear the taxpayers will be left holding the bag for over \$1 billion in FRA/RRIF Federal loans while Fortress and its other carefully-lawyered separate FECL subsidiaries will be left with all of the profitable assets of FECL.

- I read that Fortress are pledging the passenger cars and new track or right of way as collateral, but I understand from the EIS that the proposed AAF passenger service will only get a perpetual passenger service easement on the new track from FECL. So how can that be pledged and of what real value is a track easement to anyone else if AAF high-speed passenger service proves to be unprofitable? If the easement were eventually transferred to another party, would that require a new EIS for a new kind of service?
- If Fortress pledged \$1.6+ billion of its real estate holdings in downtown Miami as collateral for any passenger service RRIF loan, I would be more confident that this AAF loan application was just not a lawyerly game where Fortress immediately pays off its own equity "investment" of \$400+ million as profits once it has the RRIF loan and then walks away from the poorly-collateralized loan for its highly-unlikely-to-be-profitable AAF passenger service leaving the taxpayers (that is me!) holding the bag.
- I predict that if the RRIF loan were to be approved without requiring serious collateral to protect the U.S. taxpayers from financial risk of default on the RRIF loan due to Fortress' poor estimates of passenger service profitability, this would be the likely scenario. Fortress (through FECL and other FECL subsidiaries) would continue to own prime real estate in Miami and all the tracks on the right of way allowing a much more frequent and profitable freight service from the expanded port in Miami and Ft Lauderdale with no environmental review.
- Fortress subsidiaries have previously left governments with the bill when they made financial miscalculations. Fortress Credit promised a developer financing to build the Olympic Village for Vancouver, BC. When Fortress itself faced financial reverses, it strategically suspended its line of credit to the developer and the City of Vancouver taxpayers eventually had to step in to pay

so that the Olympic Village could be completed on time. All of the financial risk was cleverly transferred by Fortress Credit to the Vancouver city government.

Can we get a serious environmental review of the AAF project?

I resent that the initial draft EIS for the project has been prepared by people paid by AAF rather than being a truly independent assessment. Is this typical for FRA/RRIF loan applications? As to environmental impact, I find that many of my environmental concerns regarding the proposed AAF project are not addressed substantively in the Fortress-financed EIS study. I will comment on only a few of my concerns.

- Scope of the draft EIS:

Why does the draft EIS of the RRIF loan only focus on the impact of proposed new high-speed passenger service and not on the greatly-increased freight traffic also to be expected on the same route once a second set of tracks is laid alongside the single track along the Martin County and other Treasure Coast portions of the route? Would any additional through freight service be prohibited on the new set of tracks? If not, why is this not part of the EIS at this point?

- Re noise and vibration:

The report speaks of about a rough doubling of noise and vibration events. Over what distance from the rail line was this measured? I live about .5 miles from the FECR track. What will I hear? Does the estimate of noise and vibration impact include noise and vibration from the additional volume of freight traffic that the new railbed will make possible? How much is freight traffic expected to increase, in addition to the proposed AAF trains? How does the additional vibrational frequency of high-speed rail service differ in its impact on endangered biological communities, both terrestrial and aquatic, compared to the current volume of slower speed freight service on the single track? Has this been studied by biologists? In our area, the rail line goes for miles through the fragile ecosystems of the Jonathan Dickinson State Park and abuts the Hobe Sound National Wildlife Refuge and Sea Branch State Nature Preserve. I worry that the endangered gopher tortoises and other animals that live in the ground and move slowly will suffer from high-speed train noise and vibration disturbing their burrows and killing them on the tracks. What about the surviving manatees that graze in the Indian River Lagoon sea grass beds alongside the Jonathan Dickinson, Hobe Sound Wildlife Refuge, and Sea Branch parks? How will they be affected by a new kind of vibration from high-speed trains? How will the increased vibration and noise from the proposed AAF trains impact our prime local music performance venue, the Lyric Theater in Stuart? The report does not address any of these questions.

As to remedies for some of these impacts, am I correct in assuming that our local government will have to pay for any noise-mitigating efforts such as quiet zones or sound-proof walls? Whose pockets will these taxes come from? If property values and therefore tax assessments decrease on the properties very near the tracks due to increased noise, whose local taxes will be raised to make up the difference in the county budget? (I can guess it will be mine!) As I see it, while Fortress makes profits, I get negative

local tax impacts twice over, as well as the environmental burden on myself and the local ecosystem from additional noise/vibrational pollution.

- Re safety:

From my home, I must cross one, two, three or four at-grade FEC crossings to do any routine daily errand: go to the grocery store, gas station, pharmacy, bank, post office, doctor, library, etc. In an average day of errands, I am crossing FEC tracks at grade between Stuart and Hobe Sound about 8-10 times. The same holds for my 91-year-old mother, several siblings who live in the same community, and my children and grandchildren who are holiday visitors. I am really worried about the increased dangers of high-speed trains at our crossings. At-grade crossings are not compatible with the safety of high-speed trains and are very rare on the Acela run and Japanese bullet trains which I have taken. I myself experienced (and immediately reported) a local crossing gate malfunction a year ago at Osprey Rd in the middle of the night when I was rushing to Martin South hospital to be with a neighbor who had just been taken by ambulance to the emergency room. How much more unnerving/hazardous would a crossing gate malfunction be when trains are travelling 110 mph and you cannot see them by looking up and down the track before they are on top of you? We should not be having high-speed trains in our communities unless there are grade separations consistent with safe crossings by cars, bicycles, wheelchairs, and pedestrians. The FEC rail line profits indirectly from the increased population along its right of way both in the demand for freight movement and in the proposed ridership of new passenger service so it is not enough to say that FECR was here first and has no obligation to shoulder the costs of mitigating such impacts on local populations. After all, the proposed high-speed AAF trains would be new arrivals, not current Florida residents!

- Re transportation:

Our county is known for its marine life, fishing and ocean- and lagoon-based recreational boating. Marine-based activities (not just commercial boat repair as mentioned in the EIS) are a very important contributor to the local economy and a principal tourist attraction. Most marinas in Martin County are west of the FEC tracks, and boats need to pass through the narrow Jupiter Inlet or St Lucie River FEC railway bridges to get to the lagoon or ocean. It will be hugely disruptive to the boating community to encounter up to 8-9 hours a day of closures of the three principal railway bridges (including Ft Lauderdale's). Almost no boats except kayaks can get under these bridges when they are closed. Compared to current rail traffic, the AAF schedule will add another 5-6 hours of closure (including raising and lowering time) to boat traffic at each bridge, mostly during daylight hours which are the prime hours for safe navigation. I can hardly imagine the resulting boat queues and economic impact on the recreational boating industry if these bridges are closed for additional rail AAF traffic as projected. I assume and hope the Coast Guard will address these matters because this is a very serious economic, recreational, and impeding of navigation impact for many people.

In addition, where railway bridges are close to highway bridges which must also be raised, both bridges will have to be raised simultaneously for long periods to allow passage in narrow opening of the long lines of boats from each direction that will have been queuing to wait to pass. What is the proposal for

coordination of bridge raisings? All of this will cause unacceptably long roadway traffic delays (which could also be dangerous to life in the case of stopped emergency or police vehicles going to the hospital or crime scenes). There are also increased safety hazards for boats jockeying for position while waiting for short and infrequent openings in narrow inlets with strong tidal currents.

Who really endorses AAF?

- The report cites various local authorities as generally endorsing the concept of high-speed rail for our area. I am sure you are aware from their comments on the draft EIS, all of the local governments along the Treasure Coast, including Martin County, have looked at the specific AAF project and are highly opposed to it. The next draft EIS should rightly include the actual current views of our local administration on this specific project, which is the one being evaluated, and not general pronouncements from several years ago which have been superseded as more information about AAF has been reluctantly divulged by FECI and Fortress.

My conclusions

I appreciate that the current draft EIS is just that, a first draft, and trust that substantially more careful study of these and other potential environmental impacts will be undertaken for FRA by independent analysts so that subsequent drafts will explain the true environmental costs of AAF that will be borne by local residents and ecosystems. These costs, if properly weighed against the poor economic prospects and minimal environmental benefits to be expected from the AAF project (that will not even release proposed ridership and revenue assumptions, undoubtedly because they would be wildly unrealistic as has usually been the case for other proposed high-speed rail project) would be necessary to get a more balanced picture of net costs and benefits.

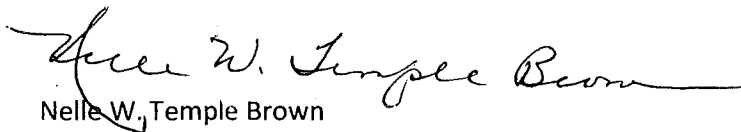
I ask you to give careful consideration to the concerns I have raised in this letter. I am generally a proponent and supporter of public transit, an occasional user of TriRail, and a year-round resident of Florida's southeast coast, so I am disturbed that many aspects of the AAF project, especially secrecy about its financing and ridership figures, feel very fishy to me. Please do not OK this self-serving draft EIS; require much more independent assessment and study before making a final EIS determination on this loan.

I think FRA should subject the whole review process for the RRIF loan to the most careful economic as well as environmental scrutiny. Is AAF really a "sustainable" project in the sense that it can meet its revenue projections? At a minimum, the AAF loan from RRIF should not be approved unless ironclad collateral is provided by Fortress or other FECI subsidiaries amounting to sufficient value (not including any passenger rail equipment or related easement rights) to keep the taxpayers' support of FRA and RRIF completely whole in the event of the likely economic demise of AAF. By requiring such collateral as a condition for the RRIF loan, the true intentions of Fortress will be revealed as to whether this is a true contribution to South Florida or only a scheme to use public funds to milk the profitable parts of FECI and unscrupulously leave the taxpayers with the bill for the rest.

I am hoping that AAF is not just a clever con job against the taxpayers. I hope that you, and all other U.S., state, and local politicians and Administration officials would smell out and blow the whistle on loaning money to any company that says it is committed to "totally private financing" and then structures a deal designed to stiff the taxpayers. Where is the collateral? Where is the data supporting financial feasibility and sustainability?

I look forward to following the decisions of the FRA on the current draft EIS as well as on learning about the, I hope stringent, conditions to be placed on any RRIF loans provided to Fortress and FECO for AAF.

Sincerely,



Nelle W. Temple Brown

cc:

The Honorable John Mica, U.S. Representative from Florida
The Honorable Corinne Brown, U.S. Representative from Florida
The Honorable Daniel Webster, U.S. Representative from Florida
The Honorable Anthony Foxx, U.S. Secretary of Transportation
The Honorable Joseph C. Szabo, Administrator, Federal Railroad Administration
The Honorable Gina McCarthy, Administrator, U.S. Environmental Protection Agency
The Honorable Rick Scott, Governor of Florida

**Nelle W. Temple Brown
7820 SE Little Harbour Drive
Hobe Sound, FL 33455**

30 November 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I am a citizen of Martin County, Florida residing in Hobe Sound. I am registering my strong opposition to the proposed FRA/RRIF loan for the All Aboard Florida (AAF) project proposed by Florida East Coast Industries and the Fortress Investment Group hedge fund that owns it. I am seriously concerned about the environmental consequences -- and even more fundamentally concerned about the economic impacts -- of any FRA/RRIF loan for AAF on myself and on other citizens and taxpayers of our county and our country.

What are the hidden agendas?

I feel strongly that FECI and Fortress have been quite duplicitous in the way this project has been presented to the public (and perhaps also to the FRA/RRIF) up to now.

- They say the loan is for a new high-speed passenger service, but the first draft EIS ignores the substantial collateral environmental impacts of the planned expansion of freight service on the newly-constructed second track.
- From the beginning Fortress claimed that there would be no public financing of the project; I witnessed the refusal of Mr. Gonzalez of AAF to disclose publicly to local county commissioners the AAF's financing plans at the Treasure Coast Regional Planning Council meeting of March 21, 2014. Only belatedly and under duress has AAF more recently revealed that the plan is for the principal financing to come from public loan funds of FRA and RRIF (or, more lately, from taxpayer-subsidized Private Activity bonds if the RRIF loan is not forthcoming).
- AAF is still not releasing to the public its expected ridership or proposed ticket price information and indeed, I understand, has gone to court to prevent public release of this supposedly "proprietary" information. Is there really an active competitor in the wings? Doubtful, since almost no regular passenger rail services worldwide are profitable. So what are they trying to hide? After all, won't those of us who are expected to buy the tickets be the ones who will make the route profitable -- or not? How can Fortress and AAF know what the ridership will be

without publishing proposed prices since projected ridership numbers and ticket costs are intimately related?

- Isn't the fact that there is already reasonably-priced TriRail passenger service operating on the most densely-populated section of the proposed route (Miami to North Palm Beach) a good sign that AAF's proposed public loan is based on questionable and unsustainable revenue estimates? The current TriRail service is not operating at capacity -- nor with financial profitability as far as I know -- and only has a ridership base of less than 1 percent of the local population. How many additional, year-round, daily, premium-price riders between these cities and to/from Orlando can you expect from a local population composed in large part of non-commuting retirees with cars, seasonal residents, and occasional tourists who are likely to prefer the convenience of rental cars to schlepping luggage on and off a train?

Is serious collateral is being offered?

Unless there is real collateral offered by Fortress for the loan other than the new passenger-service rolling stock and other AAF "assets", I fear the taxpayers will be left holding the bag for over \$1 billion in FRA/RRIF Federal loans while Fortress and its other carefully-lawyered separate FECl subsidiaries will be left with all of the profitable assets of FECl.

- I read that Fortress are pledging the passenger cars and new track or right of way as collateral, but I understand from the EIS that the proposed AAF passenger service will only get a perpetual passenger service easement on the new track from FECl. So how can that be pledged and of what real value is a track easement to anyone else if AAF high-speed passenger service proves to be unprofitable? If the easement were eventually transferred to another party, would that require a new EIS for a new kind of service?
- If Fortress pledged \$1.6+ billion of its real estate holdings in downtown Miami as collateral for any passenger service RRIF loan, I would be more confident that this AAF loan application was just not a lawyerly game where Fortress immediately pays off its own equity "investment" of \$400+ million as profits once it has the RRIF loan and then walks away from the poorly-collateralized loan for its highly-unlikely-to-be-profitable AAF passenger service leaving the taxpayers (that is me!) holding the bag.
- I predict that if the RRIF loan were to be approved without requiring serious collateral to protect the U.S. taxpayers from financial risk of default on the RRIF loan due to Fortress' poor estimates of passenger service profitability, this would be the likely scenario. Fortress (through FECl and other FECl subsidiaries) would continue to own prime real estate in Miami and all the tracks on the right of way allowing a much more frequent and profitable freight service from the expanded port in Miami and Ft Lauderdale with no environmental review.
- Fortress subsidiaries have previously left governments with the bill when they made financial miscalculations. Fortress Credit promised a developer financing to build the Olympic Village for Vancouver, BC. When Fortress itself faced financial reverses, it strategically suspended its line of credit to the developer and the City of Vancouver taxpayers eventually had to step in to pay

so that the Olympic Village could be completed on time. All of the financial risk was cleverly transferred by Fortress Credit to the Vancouver city government.

Can we get a serious environmental review of the AAF project?

I resent that the initial draft EIS for the project has been prepared by people paid by AAF rather than being a truly independent assessment. Is this typical for FRA/RRIF loan applications? As to environmental impact, I find that many of my environmental concerns regarding the proposed AAF project are not addressed substantively in the Fortress-financed EIS study. I will comment on only a few of my concerns.

- Scope of the draft EIS:

Why does the draft EIS of the RRIF loan only focus on the impact of proposed new high-speed passenger service and not on the greatly-increased freight traffic also to be expected on the same route once a second set of tracks is laid alongside the single track along the Martin County and other Treasure Coast portions of the route? Would any additional through freight service be prohibited on the new set of tracks? If not, why is this not part of the EIS at this point?

- Re noise and vibration:

The report speaks of about a rough doubling of noise and vibration events. Over what distance from the rail line was this measured? I live about .5 miles from the FECR track. What will I hear? Does the estimate of noise and vibration impact include noise and vibration from the additional volume of freight traffic that the new railbed will make possible? How much is freight traffic expected to increase, in addition to the proposed AAF trains? How does the additional vibrational frequency of high-speed rail service differ in its impact on endangered biological communities, both terrestrial and aquatic, compared to the current volume of slower speed freight service on the single track? Has this been studied by biologists? In our area, the rail line goes for miles through the fragile ecosystems of the Jonathan Dickinson State Park and abuts the Hobe Sound National Wildlife Refuge and Sea Branch State Nature Preserve. I worry that the endangered gopher tortoises and other animals that live in the ground and move slowly will suffer from high-speed train noise and vibration disturbing their burrows and killing them on the tracks. What about the surviving manatees that graze in the Indian River Lagoon sea grass beds alongside the Jonathan Dickinson, Hobe Sound Wildlife Refuge, and Sea Branch parks? How will they be affected by a new kind of vibration from high-speed trains? How will the increased vibration and noise from the proposed AAF trains impact our prime local music performance venue, the Lyric Theater in Stuart? The report does not address any of these questions.

As to remedies for some of these impacts, am I correct in assuming that our local government will have to pay for any noise-mitigating efforts such as quiet zones or sound-proof walls? Whose pockets will these taxes come from? If property values and therefore tax assessments decrease on the properties very near the tracks due to increased noise, whose local taxes will be raised to make up the difference in the county budget? (I can guess it will be mine!) As I see it, while Fortress makes profits, I get negative

local tax impacts twice over, as well as the environmental burden on myself and the local ecosystem from additional noise/vibrational pollution.

- Re safety:

From my home, I must cross one, two, three or four at-grade FEC crossings to do any routine daily errand: go to the grocery store, gas station, pharmacy, bank, post office, doctor, library, etc. In an average day of errands, I am crossing FEC tracks at grade between Stuart and Hobe Sound about 8-10 times. The same holds for my 91-year-old mother, several siblings who live in the same community, and my children and grandchildren who are holiday visitors. I am really worried about the increased dangers of high-speed trains at our crossings. At-grade crossings are not compatible with the safety of high-speed trains and are very rare on the Acela run and Japanese bullet trains which I have taken. I myself experienced (and immediately reported) a local crossing gate malfunction a year ago at Osprey Rd in the middle of the night when I was rushing to Martin South hospital to be with a neighbor who had just been taken by ambulance to the emergency room. How much more unnerving/hazardous would a crossing gate malfunction be when trains are travelling 110 mph and you cannot see them by looking up and down the track before they are on top of you? We should not be having high-speed trains in our communities unless there are grade separations consistent with safe crossings by cars, bicycles, wheelchairs, and pedestrians. The FEC rail line profits indirectly from the increased population along its right of way both in the demand for freight movement and in the proposed ridership of new passenger service so it is not enough to say that FECR was here first and has no obligation to shoulder the costs of mitigating such impacts on local populations. After all, the proposed high-speed AAF trains would be new arrivals, not current Florida residents!

- Re transportation:

Our county is known for its marine life, fishing and ocean- and lagoon-based recreational boating. Marine-based activities (not just commercial boat repair as mentioned in the EIS) are a very important contributor to the local economy and a principal tourist attraction. Most marinas in Martin County are west of the FEC tracks, and boats need to pass through the narrow Jupiter Inlet or St Lucie River FEC railway bridges to get to the lagoon or ocean. It will be hugely disruptive to the boating community to encounter up to 8-9 hours a day of closures of the three principal railway bridges (including Ft Lauderdale's). Almost no boats except kayaks can get under these bridges when they are closed. Compared to current rail traffic, the AAF schedule will add another 5-6 hours of closure (including raising and lowering time) to boat traffic at each bridge, mostly during daylight hours which are the prime hours for safe navigation. I can hardly imagine the resulting boat queues and economic impact on the recreational boating industry if these bridges are closed for additional rail AAF traffic as projected. I assume and hope the Coast Guard will address these matters because this is a very serious economic, recreational, and impeding of navigation impact for many people.

In addition, where railway bridges are close to highway bridges which must also be raised, both bridges will have to be raised simultaneously for long periods to allow passage in narrow opening of the long lines of boats from each direction that will have been queuing to wait to pass. What is the proposal for

coordination of bridge raisings? All of this will cause unacceptably long roadway traffic delays (which could also be dangerous to life in the case of stopped emergency or police vehicles going to the hospital or crime scenes). There are also increased safety hazards for boats jockeying for position while waiting for short and infrequent openings in narrow inlets with strong tidal currents.

Who really endorses AAF?

- The report cites various local authorities as generally endorsing the concept of high-speed rail for our area. I am sure you are aware from their comments on the draft EIS, all of the local governments along the Treasure Coast, including Martin County, have looked at the specific AAF project and are highly opposed to it. The next draft EIS should rightly include the actual current views of our local administration on this specific project, which is the one being evaluated, and not general pronouncements from several years ago which have been superseded as more information about AAF has been reluctantly divulged by FECI and Fortress.

My conclusions

I appreciate that the current draft EIS is just that, a first draft, and trust that substantially more careful study of these and other potential environmental impacts will be undertaken for FRA by independent analysts so that subsequent drafts will explain the true environmental costs of AAF that will be borne by local residents and ecosystems. These costs, if properly weighed against the poor economic prospects and minimal environmental benefits to be expected from the AAF project (that will not even release proposed ridership and revenue assumptions, undoubtedly because they would be wildly unrealistic as has usually been the case for other proposed high-speed rail project) would be necessary to get a more balanced picture of net costs and benefits.

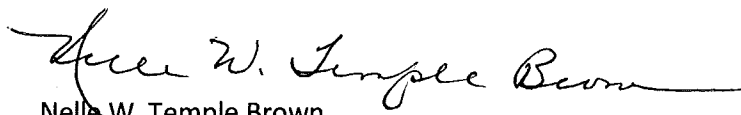
I ask you to give careful consideration to the concerns I have raised in this letter. I am generally a proponent and supporter of public transit, an occasional user of TriRail, and a year-round resident of Florida's southeast coast, so I am disturbed that many aspects of the AAF project, especially secrecy about its financing and ridership figures, feel very fishy to me. Please do not OK this self-serving draft EIS; require much more independent assessment and study before making a final EIS determination on this loan.

I think FRA should subject the whole review process for the RRIF loan to the most careful economic as well as environmental scrutiny. Is AAF really a "sustainable" project in the sense that it can meet its revenue projections? At a minimum, the AAF loan from RRIF should not be approved unless ironclad collateral is provided by Fortress or other FECI subsidiaries amounting to sufficient value (not including any passenger rail equipment or related easement rights) to keep the taxpayers' support of FRA and RRIF completely whole in the event of the likely economic demise of AAF. By requiring such collateral as a condition for the RRIF loan, the true intentions of Fortress will be revealed as to whether this is a true contribution to South Florida or only a scheme to use public funds to milk the profitable parts of FECI and unscrupulously leave the taxpayers with the bill for the rest.

I am hoping that AAF is not just a clever con job against the taxpayers. I hope that you, and all other U.S., state, and local politicians and Administration officials would smell out and blow the whistle on loaning money to any company that says it is committed to "totally private financing" and then structures a deal designed to stiff the taxpayers. Where is the collateral? Where is the data supporting financial feasibility and sustainability?

I look forward to following the decisions of the FRA on the current draft EIS as well as on learning about the, I hope stringent, conditions to be placed on any RRIF loans provided to Fortress and FECO for AAF.

Sincerely,



Nelle W. Temple Brown

cc:

The Honorable John Mica, U.S. Representative from Florida
The Honorable Corinne Brown, U.S. Representative from Florida
The Honorable Daniel Webster, U.S. Representative from Florida
The Honorable Anthony Foxx, U.S. Secretary of Transportation
The Honorable Joseph C. Szabo, Administrator, Federal Railroad Administration
The Honorable Gina McCarthy, Administrator, U.S. Environmental Protection Agency
The Honorable Rick Scott, Governor of Florida

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Av., SE, Room W38-31
Washington, DC 20590

November 24, 2014

Re: FEC RR - All Aboard

Dear Sir:

The Treasure Coast has been called the Sailfish Capital. It is populated by people that enjoy the water. They moved here for fishing, the beaches and generally to enjoy the sun. It sprouted considerable marine related businesses. All of this is impacted with Flagler's old route, a Class 2 railway which runs through the center of communities. I am a retired trial attorney and 20 yrs ago came to Florida with my ketch, settling on a canal off the ICW. "on the other side of the tracks" Not only do I have to cross the FEC tracks to shop, go to the hospital, etc.- all grade crossings that impede evacuation. From the maritime aspect, if I want to go to the South Fork of the St. Lucie River, I have to pass through the FEC RR bridge. On more than one occasion, I have been held waiting for 25 minutes. And if another train is coming, it can increase to 45 minutes. The bridge is gear operated and very slow. Probably 100 years old. The ICW has many bridges and they for the most part operate on an opening schedule. Open every 30 minutes of a 10 minute duration depending on traffic. This is acceptable and one can plan on a definite opening. The ultimate solution to the St Lucie waterway is to raise the old bridges to 58ft., same as Route 1 bridge.

My concerns first relate to the access to a highway from not only my home but from some 5,000 others in town, similarly situated. Secondly the closure of the RR grade crossings in an unacceptable manner. No tunnels or bridges. I am unable to go to the store, hospital, doctors without crossing the tracks - all grade crossings. In New England there were very limited grade crossings. Tunnels or bridges were the norm.

All Aboard can never mitigate the concerns I have mentioned above even with a loan. They would be better advised to lease the CSX tracks that travel in "cow country" with very little adverse impact. As a matter of fact if new rails were built alongside Route 95 with a lease from the state, all problems are solved. In this manner, the monies spent for a parallel track on the existing route, would be somewhat the same. Do not forget the sharp bends in Stuart that would involve considerable cost. The only competition to Orlando is from Amtrak that already has at least four (4) trains that go between West Palm and Orlando on CSX tracks.

The current "impact statement" is not impartial as it categorizes the area as Rural. While it was funded by your agency, the consultants never looked.. Furthermore, there was no consideration of the Treasure Coast where I live. There are 500,000 homes that are affected by FEC.

Sincerely,



Herbert Barlow

9139 SE Hawksbill Way, Hobe Sound, FL 33455-3113

*The article we are sending
contains all the thoughts we
have about AAF.*

*Please, don't let this
ruin our way of life on the
Florida Treasure Coast*



Mr. & Mrs. Lawrence Anderson
3296 SE Glacier Terr.
Hobe Sound, FL 33455-8908

- AAF's effect on navigation (the railroad bridge across the St. Lucie River is single-track only).

- The effect on air quality and health of residents with the increase from 840 trains monthly to the projected 2,160 trains monthly.

- The amount of noise and vibration that will affect buildings.

- The effect on property values.

- The effect on first responders attempting to reach hospitals or residents in critical need

- The safety of residents in downtowns in the event of a derailment.

- The effect on traffic flow and commerce.

- The safety of pedestrians and vehicles at railroad crossings.

- The cost of maintaining crossings. (AAF will pay for the initial safety upgrades at crossings.)

- The effect on wildlife of adding a third track through Jonathan Dickinson Park.



Charles and Frances Cecere
at Lost Lake Golf Club

OCT. 10, 2014

Dear Mr. Winkle,

We moved to FL in 2000 as full time residents from NY state. We lived in NY for more than 50 years and always enjoyed visiting Hudson River towns and the glorious Hudson River Valley and the Finger Lakes.

Have you ever had the pleasure of visiting Stuart, FL? This lovely city will never be the same if AAF is allowed to ruin it. Nor will any of the other cities or small towns such as Hobe Sound, Pt. Salerno, Jensen Beach and all the way to Vero Beach.

Although we don't fish or do much swimming; we respect and love NATURE.

Please do what you can to stop AAF in its tracks!

Sincerely, Frances Cecere
Charles Cecere

1

12

2014 DEC -8 PM 4:16

The honourable Administrator
Federal Railroad Administration
U.S. Department of Transportation
1200 New Jersey ave., S.E.
Washington, DC 20590

November 30, 2014

Honourable Administrator,

As a 74 years old retiree, 34 years resident in S.E. Florida, and former Florida D.O.T. employee serving the public 24 years, allow me, please, to refer the need for re-establishing the passenger train that stopped at each coastal city, in some of which the train passed close to airport and seaport; but it disconnected for only the freight train to run since midsixties on F.E.C. (Florida East Coast) railroad.

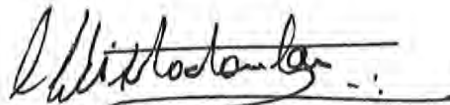
To the rapidly overgrowing population also tourism in these coastal cities, the still promoted just car business is a thoughtless attitude with experiencing consequences affecting every one, particularly our health from air, water, and ground pollution.

Considering safety, the chances are that buses and mostly cars are vulnerable daily troubled in costly road traffic accidents often fatal, uncommonly with trains on the rail; likewise, at unpredictable natural and other disasters, the trains can handle conveniently evacuations massively and fast compared to automobiles stuck on the road lining-up all along, for example in hurricanes and if damaged the 2 coastal nuclear reactors, one in midEast Florida and the other in SouthEast Florida which that one during the hurricane Andrew in August 24, 1992 was partially cracked fortunately not life threatening from radiation, like it happened in Japan a holocaust in March 2011. Another example is in situations other than natural disasters, like during the rush hours to alleviate the highways from heavy traffic; yet, passenger trains on F.E.C. railroad used during the 2nd world war commuting efficiently and quickly military personnel to the airports and seaports at these coastal cities, as mentioned above on the 1st paragraph.

Obviously the point is how well the public is served; the prospective so called "All Aboard Florida" passenger train on F.E.C. railroad will run from Miami to Cocoa Beach, then turn West to Orlando instead of continuing up to Jacksonville in Florida on F.E.C. railroad, then NorthEast along the following states as the AMIRAK is planning. The "All Aboard Florida" will stop in Ft. Lauderdale and West Palm Beach, only those 2 stops skipping all other coastal cities, while AMIRAK as an alternative to high speed train will stop at coastal cities.

Thank you kindly honourable Administrator for your attention on this issue.

sincerely,



Chris Christodoulou
420 N.E. 12 ave., apt. #601
Hallandale Beach, FL 33009

22
Dear Mr. Winkle,

2014 DEC 12 AM 9:36
OFFICE OF THE
EXECUTIVE more than
The current crossings, 300 of them, are not set up to signal pedestrians, cyclists and motor vehicles of oncoming trains traveling at 110 mph. Who will pay for the upgrade? Why would taxpayers be expected to pay when there is not a single plus to residents of Martin County?

Thank you for your consideration.

Sincerely,

Susan Lester

7740 SE Little Harbour Drive

Hobe Sound, FL 33455

772-245-8023

cc Rick Scott

Joseph Szabo

Paul Nissenbaum

Anthony Foxx

Bill Nelson

Marco Rubio

Joe Negron

Thad Altman

7186 SEGelfhouse Drive
Hobe Sound, FL 33455
772-545-0688
cheryl@kozloff.net
November 22, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. SE Room W38-311
Washington, DC 20590

Dear Mr Winkle:

STOP the MYTHO METER

The EIS study is skewed, incomplete and biased.

Findings - No information is given on ridership and ticket charges which drive the report's financial conclusions. Why the secrecy? No passenger trains exist which are profitable, so FRA's \$1.6 billion with taxpayer backs is a disgrace. The FRA is another attempt to hoodwink the public.

Environmental Impact - Minimal discussion of Treasure Coast, Indian River Lagoon and destruction and degradation of wetlands. A passing mention of wetlands mitigation is given, but no specific sites or details are outlined.

Noise Pollution & Vibration - The impact of noise and vibration was inadequately addressed. Confusing data to top FCC's flight of way is misleading and absurd. The noise and vibration will travel much farther. Since many low income residents live near the RR tracks they will be adversely affected with few options than people with more resources.

Safety - Hundreds of grade crossings exist with inadequate explanation of how the crossings will be upgraded and who will pay for the upgrade and maintenance. Delay of emergency vehicles, fire engines, ambulances. Potential derailment.

Maine Traffic - Increased rail traffic will have a negative effect on the wear and tear of old bridges and will contribute to structural and mechanical failures. Bridges cannot be opened more often for longer periods of time. Boats will start up and take longer to pass through. Commercial vessels coming from Gulf Mexico to Atlantic Ocean will be seriously impeded.

Property Values - Jpiter Tequesta, Hobe Sound Association letters suggest that homes within 400' of tracks will drop 20% with deprotection, extending to homes within 1000 feet.

I urge you to find nothing for this 'RAIL SCAM'. While thousands of taxpayers will suffer, FCC + FRA will make millions with their goals behind the veil of passenger trains.

Sincerely, Cheryl Kozloff

Edward C. (Ted) Kennedy
9011 SE La Creek Ct.
Hobe Sound, FL 33455
Phone/Fax 772-545-0749
E-Mail kennedytc@att.net

10/14/2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. SE
Rm. W 38-31
Washington, D.C. 20590

Dear Mr. Winkle,

This letter is in opposition to the All Aboard Florida plan for high speed rail between Orlando and Miami, Florida through the Treasure Coast as presently proposed. It will act as a barrier wall between the communities and one of their primary sources of income, the water based recreational areas, aside from being incredibly inconvenient and noisily disruptive of the community.

I am in favor, generally, of public transportation but this project needs to be farther west and less disruptive.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ed Kennedy", written in a cursive style.

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

November 25, 2014

Dear Mr. Winkle,

I am writing to protest All Aboard Florida's plan to run 32 passenger trains daily from Miami to Orlando. This plan makes no economic sense to the communities along the Treasure Coast of Florida. Trains running at speeds exceeding 100 miles per hour represent a major safety hazard to our communities. There are over 300 level grade crossings along the proposed route. No other high speed train anywhere in the world has that type of level grade crossing situation. Amtrack has 11 such crossings from Boston to NY, and the trains are significantly slower than those proposed by AAF. In addition there is no protective fencing or barriers in the plan to protect the public from these high speed trains. Furthermore, the existing bridges were not built to handle the amount of train traffic that would occur between the freight and passenger service. People are killed every year by trains, and this proposal will exponentially increase the risk of fatalities!! This is a major disaster waiting to happen!

With the added train traffic, bridges over waterways will be down most of the day hindering boat traffic and commerce. Rail crossings will also be down limiting the ability of emergency vehicles to get to the public and to medical facilities. Add the noise pollution and property value depreciation to the equation and the negative impact on the Treasure Coast of Florida will be substantial. This plan is bad for Florida and if approved is likely to be an economic loser. It appears that the only winner might be the Fortress Group who is using the passenger train ruse as a means to develop real estate in Miami and Fort Lauderdale. If a government guaranteed loan is approved, we the taxpayers will once again bail out Wall Street.

Please do not go forward with this plan!

Sincerely,



David K. Kaugher
7178 SE Golf Ridge Way
Hobe Sound, FL 33455
dkkaugher@comcast.net

cc: Anthony Fox, Secy of Transportation
Gina McCarthy, USEPA
Sen. Bill Nelson
Sen. Marco Rubio
Rep. Corrine Brown
Rep. Lois Frankel
Rep. John Mica

November 10, 2014
7433 1/2 Jamestown Terrace
Hobe Sound, Florida 33455

Fotth Winkler
Federal Rail Road Administration
1200 New Jersey Avenue SE
Room W38-31
Washington, D.C. 20590
Dear Sir:

I am writing in opposition to
The "All Aboard Florida" planned high
speed passenger rail service.

I also understand that there are
plans to increase the rail cargo
service.

I do not believe that the
passenger service will accommodate
a large enough section of the Florida
population to sustain the service.

I also am against increasing
Cargo Transport of goods made outside
the U.S.A = Enough is Enough.

I would suggest you do
your homework and consider using
the rail system in the western part
of Florida

Sincerely
Mary Elizabeth Lambert

John A. Kaichen
5299 SE Sweetbrier
Hobe Sound, FL 33455
Tel: 772-220-1540

November 7, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE Room W38-311
Washington, D.C. 20590

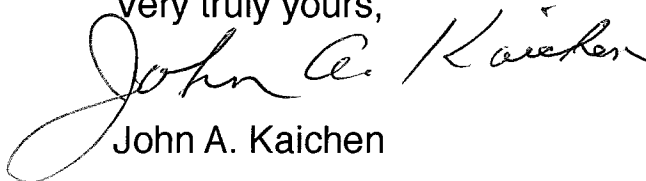
Re: All Aboard Florida

Dear Mr. Winkle:

Our neighborhood in Stuart, Florida area, is up in arms, as I'm sure you've heard. The proposed high-speed trains passing through the residential communities along the Atlantic coast will have an inordinate impact on this area. It could be avoided if the trains used another track not so close to the shore. It is available. I'm told that choice has been rejected by the All Aboard Florida managers because they would have to "rent" those tracks.

Your agency was created to serve the railroad needs of the country as a whole, not just to make sure railroads made a profit. Surely the high speed trains could use the alternative track which would avoid the chaos created by the proposed plan. Why not?

Very truly yours,



John A. Kaichen

October 30, 2014

I am a Martin County resident against the "All Board" project in its present form.

It is my belief that the increased volumes of high speed trains will most certainly negatively affect our beautiful, quaint and peaceful Treasure Coast.

Additionally it will hamper our emergency capabilities with its traffic delays.

I hope you will reconsider, and move this venture West of us near I-95. It would allow our Treasure Coast communities to preserve the integrity of our very precious environment.

Luigi Lakatos
Her Board

Re: All Board Florida

Mrs. William K. Howenstein
7705 S.E. Golfhouse Drive
Hobe Sound, FL. 33455
313-885-2085

November 24, 2014

Dear Sirs,

I am a home owner in Loblolly Pines, Hobe Sound, FL. I am asking that you consider dropping plans for the train. My reasons are simple - just daily life.

I have been a guest in Loblolly homes built close to the tracks. When trains pass the plates on the shelves rattle, the noise is so loud you cannot hear.

My house is $\frac{1}{2}$ mile east of the tracks and when the wind blows west to east you would think the train was on our property. I can live with the amount of trains we have now but more would not be nice.

I know the long waits right now, with the trains we have now, on route 811 trying to get over the tracks to my husband's Dr.'s at the Jupiter Hospital.

I know the long backups trying to get in and out of Palm Beach with existing trains.

It is sad to realize there is nothing I can do as a good citizen. I pay my taxes on time. I love the beautiful community I moved into. I take pride in my property. Yet - for the benefit of a few do I lose? Will the value of my property go down? Will our world class golf course become unbearable. A sad demise unless someone like you will listen, will try to understand.

Sincerely, Lorna C. Howenstein

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I AM FOR TRAIN TRAVEL, BUT I AM NOT FOR ALL
ABOARD FLORIDA - WILDLIFE, HOUSEHOLD PETS, EMER-
GENCY VEHICLES - ALL ARE AFFECTED. WHAT ABOUT
EVACUATION DURING A HURRICANE? I AM PARTICULARLY
CONCERNED ABOUT DOWNTOWN STEWART + WHAT THIS WILL
DO TO BUSINESSES DOWN THERE. DON'T SKIRT THE ISSUES
HERE. WHY NOT GO OUT BEYOND THE TURNPIKE +
195? ORLANDO IS NOT ON THE COAST. ALSO WHERE
ARE THERE DOUBLE TRACKS IN OUR AREA. THIS
WILL TOTALLY DISRUPT OUR PEACEFUL LIVING WHICH
WE HAVE WORKED SO HARD TO ATTAIN.

Lynn R. Hopkins



Lynn Hopkins
7771 SE Shenandoah Dr
Hobe Sound FL 33455-5934

Elinor W. Ryan



Elinor W. Ryan
7771 SE Shenandoah Dr.
Hobe Sound, FL 33455-5934

If you need additional space, please attach a second sheet to this page

October 26, 2014

To: John Winkie
Federal Railroad Administration
1200 New Jersey Ave., SE
Room W38-31
Washington, DC 20590

Dear Sir,

I am writing to express my thoughts about All Aboard Florida, the proposed high rail train from Miami to Orlando, FL. I am sure both Miami and Orlando will benefit from the project; however, all of the towns along the way will be greatly affected by the proposed train. We live in Martin County, and wonder if this area was even considered regarding effects of a high speed train on our communities along the proposed rail. We have MANY crossings which alone is of high impact as to safety at the crossings. Stuart, FL will be greatly affected with the train; not only the downtown business community, but our Hospital is on the West side of the tracks, and the largest percentage of residents live on the East side, causing much delay by ambulances and emergency situations being able to easily get to the health care facility. Fishing is a major industry here, and the impact of long waits for trains to pass and bridges returned to allow passage will financially affect the whole industry. The noise of train whistles 32 times daily for the high speed trains at each of the many crossings; as well of all of the daily freight trains will greatly affect those who live near the tracks.

Personally, my doctors offices are also on the West side of the tracks; our school; buses will be greatly impacted when their routes take them across the tracks. The back-up at intersections will be very long. We already have many freight trains to contend with; and once the Panama Canal is completed, we know we will have many more and much longer trains carrying freight along the East coast.

We hope you will convey our concerns to the interested parties, as the residents of this area have not been taken into consideration in the planning of this project. The high speed trains we have been on in Europe travel through the countryside; not through community after community along our busy coastal area.. We will gain NO benefits from the train, as they will not stop in any of our communities; we feel we have not been given consideration as to the effects of and costs of such a project.

Thank you for reading my letter. I am a senior citizen who came to Florida for the beautiful weather and sunshine; not for dangers at railroad crossings.

Sincerely,
Joanne Hoglund
8109 SE Double Tree Drive
Hobe Sound, FL 33455

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I am extremely opposed to the Florida All Aboard "FAA" project. I have to cross the tracks to get out of my neighborhood and feel this project will have a negative impact on my property value. This project has a negative impact on most of the resident/tax paying populace with NO benefits. This project only benefits a very few.

The high speed of the trains going through the middle of high density communities would create a safety issue along with making it difficult for our emergency responders going to and from.

The proposed route would create extreme congestion on our bridges. Some of these bridges are very old - This in itself should be a HUGE RED FLAG.

-Railroad

If you need additional space, please attach a second sheet to this page

The only way this project can get approval is by serious "palm greasing". Please do the honorable thing and say NO - not safe.

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Judi Heintz
Address	8089 SE Orchard Terrace Hobe Sound, FL 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available jsheintz@comcast.net

Ann Hammer
7743 SE Lakeshore Dr.
Hobe Sound, FL 33455

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. SE, Room W38-311
Washington, DC 20590

Dear Sir:

Under the guise of commuter travel — whose DREAM is that — between Miami and Orlando, All Aboard Florida (AAF) threatens many aspects of life for us here in Martin County and the "Treasure Coast" of Florida. While players may indeed flock to AAF's planned casino in Miami, THAT SHOULDN'T MEAN that our RR crossings should be shut 3 times more often; COAST GUARD and boat traffic should be stalled umpteen times more.

- | | YES | NO |
|---------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| • RIFF loan should be foisted upon the PUBLIC? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Coast Guard and boat traffic should be clogged? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Access to hospitals for emergencies should remain easy? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • 360 ^{on-grade} crossings for hi-speed trains should cause more deaths? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • AAF could lease access from CSX, the railroad W. of here, for its tracks between Palm Beach + Orlando | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

cc: Joseph Szabo
John Mica
Marco Rubio
Bill Nelson
Joe Negron

Sincerely,
Ann Hammer

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

- I OBJECT TO THE DEVELOPMENT OF HIGH SPEED
TRAINS BETWEEN MIAMI + ORLANDO (AAF) BECAUSE:
- THERE IS NOT A PROFITABLE MARKET FOR THIS
SERVICE - NOWHERE IN THE WORLD DO PASSENGER
TRAINS TURN A PROFIT.
 - AAF WILL BE A MAJOR NEGATIVE FOR FLORIDA'S
TREASURE COAST - DESTRUCTION OF REAL ESTATE
VALUES, BLOCKING CROSSINGS FOR EMS
VEHICLES, NOISE & AIR POLLUTION, EXTENDED
TIME FOR BOATS TO PASS UNDER R.R. BRIDGES.
 - A FRA \$1.8 BILLION LOAN TO FEC/AAF
WILL BE ANOTHER WASTE OF TAXPAYER
DOLLARS.
 - 32 TRAINS/DAILY WILL DESTROY
OUR QUALITY OF LIFE, PLUS
ALL OF THE FREIGHT TRAINS.
THE FRA SHOULD NOT GRANT AAF
\$1.8 BILLION FOR THIS FIASCO!

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	PAUL B. HALEY
Address	7523 S.E. GOLFHOUSE DR. HOBE SOUND, FL 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available XV60@MSN.COM

October 27, 2014

Federal Railroad Administration
Mr. John Winkle
1200 New Jersey Ave. S.E.
Room W38-31
Washington, DC 20590

Dear Mr. Winkle:

PLEASE PLEASE read the enclosed letters to the editor. These letters have appeared in our local newspaper "Scripps Treasure Coast Newspaper" for several months. We don't have the millions of dollars All Aboard Florida is spending on politicians and lobbyists. Please note our local representatives do NOT support AAF.

The AAF project will bring a number of jobs to Florida, but most of them will not exist when the project is completed. Our beautiful communities on the Treasure Coast and our quality of life will be extremely affected in a negative way on many many levels. Thousands of residents and thousands of visitors must be considered.

For the future this railway system is better suited INLAND, WEST of Federal Highway where a railway line is presently located.

Thank you for your time and I hope your consideration for our welfare.

Most Sincerely,



Mrs. Mary Ellen Franklin

5658 S.E. Forest Glade Tr.
Hobe Sound, FL 33455

October 1, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E. Room
W38-31
Washington, DC 20590

Dear Sir:

Thousands of letters have been published in protest of AAF and how it will negatively impact on the Treasure Coast communities of Florida.

The report submitted by your office was prepared and paid for by AAF. This is not acceptable on any level. The communities of the Treasure Coast of Florida and Tequesta, Fl deserve better. Please listen to our representatives. Please read the enclosed news release from the Stuart News.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Ellen Franklin".

Mary Ellen Franklin
5658 S.E Forest Glade Trail
Hobe Sound, Fl 33455

10/25/14

John Winkle
Federal Railroad Administration
1200 New Jersey Ave SE, Room 123-31
Washington, DC 20590

Sir -

Please Please Please do not allow
all across Florida to operate their
proposed high speed train to travel the
Treasure Coast of South Florida,
specifically Lake Sound, Jupiter, Stuart
etc. The environmental and safety
concerns outnumber the financial
benefits of this privately owned
transportation BUSINESS. Please
consider using the train tracks near
the I-95 highway. ~~OR~~ build one
along the turnpike to Orlando...

Again, public service emergency service
will be impacted along with marine
navigation safety. STOP AAF HDL

Jim Porter & Terry Sanderson
13132 SE Crooked Stick Lane - Lake Sound, FL
33453

All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
Federal Railroad
Administration

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vrb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Janet E. Otten
Address	8262 SE Cumberland Circle Hobe Sound, FL 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available dancen@comcast.net

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



**U.S. Department
of Transportation
Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

It is with deep concern that I object to the "All Aboard Florida" proposal to bring 32 passenger trains a day in addition to the freight trains already passing along the east coast of Florida.

The quiet community in which I live is close to the railroad tracks. This project will greatly disturb our peaceful enjoyment of our property as well as present an increased hazard at each crossing, and there are several just in our small community of Hobe Sound, as well as pose a danger for police, fire trucks and ambulances reaching our area in a timely manner.

It is also my understanding that it will greatly impact the boater traffic on our lovely waterways and I am very concerned about the wildlife that will be impacted by the route of the proposed tracks. Most particularly as the trains pass through the beautiful Jonathan Dickinson State Park. Not just the speeding rail cars that potentially will kill the animals, but also the vibrations that will cause the burrowing wildlife to be greatly disturbed.

There is nothing that I can think of that makes this railroad coming through our area that is beneficial to our community or the majority of the communities along the currently proposed route.

I beg you to reconsider this project and all of the harm that it will do the way of life along the east coast of south Florida. Moving the rail lines inland to the sparsely populated central Florida would be more acceptable and still allow the project to go forward. I am NOT ALL ABOARD FLORIDA!

Janet Otten

All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
Federal Railroad
Administration

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vfb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Richard W. OTTEN
Address	8262 SE. Cumberland Circle Hobe Sound FL 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available dancensound@comcast.net

All Aboard Florida Intercity Passenger Rail Project
Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

Our community of Heritage Plantation in Hobe Sound are very much opposed to the proposed increase rail traffic of All Aboard Florida. It will impact our community and my home personally!

Our property values will drop considerably, it is estimated at least 20%.

Safety is a major concern as the Hobe Sound Elementary School, the Hobe Sound Bible College, the Christian Academy and Early Learning Center are all located east of the tracks and will be crossed frequently by many families multiple times daily.

Emergency vehicles will be delayed and pose a life + death threat.

Please veto this project and locate it in central Florida - away from the densely populated east coast -

Thank You

If you need additional space, please attach a second sheet to this page

Rich Otten

7889 SE Sugar Sand Cir.
Hobe Sound, FL 33455
October 7, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

The "Public Health and Safety" section of the EIS does not adequately address some important negative aspects of the proposed All Aboard Florida program.

On pages S-17 and S-18, the EIS states "The Project would have an overall beneficial effect on public health, safety and security in the rail corridor." Further, "The benefits resulting from decreased congestion and the potential for fewer vehicular crashes and fewer emissions indicate that there will be no significant negative impacts on public health and safety."

These claims are based solely on train riders reducing the number of cars on I95 annually. While the "potential" for fewer crashes exists, there is no way to ensure that fewer cars means fewer crashes. Moreover, the reduction of emissions on the I95 corridor will be offset by the increase in auto exhaust from cars idling at closed crossings 32 times a day near heavily populated communities further east. In season, car lines will be 12-15 strong in each direction, with each auto spewing exhaust while awaiting clearance.

In addition, you should note that All Aboard Florida has not always made safety a priority. They initially refused to provide "sealed corridors" in their plan. Only after the Government demanded that they provide these safety features did they agree to include them.

As in other areas, All Aboard Florida has not fully addressed the potential negative impacts of their service on "Public Health and Safety." Unless or until they do so, their loan should be denied.

Sincerely,



Dennis J. O'Donovan

7889 SE Sugar Sand Cir.
Hobe Sound, FL 33455
October 7, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

The "ridership" promises for All Aboard Florida in the EIS look overly optimistic. These numbers are unlikely to be attained. This could result in a loan default or immediate request for subsidies.

According to the EIS, All Aboard Florida projects to have 3.5 million riders in 2019. At the same time, AAF claims they will take 3 million car trips off the road annually. Both these numbers seem high, and the two contradict each other.

Assuming ridership of 3.5 million per year, that equates to 9,589 passengers per day or approximately 300 on each of the 32 trains. That means 300 passengers on every train every day including weekends, holidays, etc. In comparison, the Amtrak Acela train in the northeast carried only 3.3 million passengers in 2013. Acela serves market areas with a combined population of 38 million. AAF states that "9 million live along the AAF rail corridor." Thus, a huge number of tourists must opt for train trips between Miami and Orlando each year at whatever rate is being charged and with a full understanding that when they reach the Orlando airport they'll need transportation to their next destination.

AAF also claims it will remove "at least 3 million car trips" from roadways each year. Given their ridership expectation of 29% solo travelers and 71% multiple travelers, we can assume an average of two persons in each of the 3 million car trips or 6 million in total. That equates to approximately 16,440 riders per year or 514 passengers on each train.

The question is: which numbers are correct? Regardless, both sets seem too high and the likelihood of default or subsidies being needed rises accordingly. The requested loan should be denied.

Sincerely,



Karen O'Donovan

7877 SE Sugar Sand Cir.
Hobe Sound, FL 33455
October 7, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

The "ridership" promises for All Aboard Florida in the EIS look overly optimistic. These numbers are unlikely to be attained. This could result in a loan default or immediate request for subsidies.

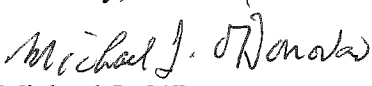
According to the EIS, All Aboard Florida projects to have 3.5 million riders in 2019. At the same time, AAF claims they will take 3 million car trips off the road annually. Both these numbers seem high, and the two contradict each other.

Assuming ridership of 3.5 million per year, that equates to 9,589 passengers per day or approximately 300 on each of the 32 trains. That means 300 passengers on every train every day including weekends, holidays, etc. In comparison, the Amtrak Acela train in the northeast carried only 3.3 million passengers in 2013. Acela serves market areas with a combined population of 38 million. AAF states that "9 million live along the AAF rail corridor." Thus, a huge number of tourists must opt for train trips between Miami and Orlando each year at whatever rate is being charged and with a full understanding that when they reach the Orlando airport they'll need transportation to their next destination.

AAF also claims it will remove "at least 3 million car trips" from roadways each year. Given their ridership expectation of 29% solo travelers and 71% multiple travelers, we can assume an average of two persons in each of the 3 million car trips or 6 million in total. That equates to approximately 16,440 riders per year or 514 passengers on each train.

The question is: which numbers are correct? Regardless, both sets seem too high and the likelihood of default or subsidies being needed rises accordingly. The requested loan should be denied.

Sincerely,


Michael J. O'Donovan

7877 SE Sugar Sand Cir.
Hobe Sound, FL 33455
October 7, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

Your EIS analysis of the negative effects on various minority and low income communities on the Treasure Coast is neither complete nor accurate.

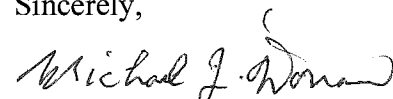
You state on pages S-17 and S-17 that "Neither the E-W Corridor nor the N-S Corridor would result in residential displacement, job loss, or neighborhood fragmentation.." In the Hobe Sound and Stuart area there are several businesses adjacent to your tracks that will suffer lost business and may even have to close entirely as a result of the dramatically increased rail traffic and its effects on the environment.

Further, you may be correct in saying there will be no "residential displacement" because of eminent domain. However, unlike some communities, residents of low income and minority neighborhood homes may not leave because they can't afford to move. In effect, they are not displaced, they are held hostage in an undesirable location and cannot escape the negative impacts of your train service even if they want to.

Your EIS also states on page S-17 that "mitigation would limit any changes in vibration along the N-S Corridor." This presumably refers to the "wheel and rail maintenance" that will diminish the expected doubling of vibration along the N-S Corridor. For minority and low income people living close to the tracks your promise to alleviate this problem is not enough to justify your going forward.

Minority and low income residents near your proposed rail line will be disproportionately impacted by your trains. The project should be dropped.

Sincerely,


Michael J. O'Donovan

7889 SE Sugar Sand Cir.
Hobe Sound, FL 33455
October 7, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

The Draft EIS does not justify allowing All Aboard Florida to proceed with their planned passenger service.

The vast majority of justifications for moving ahead and granting a federal loan are based on promises, not actions. Time and again an environmental impact is deemed acceptable on the basis of AAF promising or committing to "mitigate" the situation.

To date, these people have attempted to trick us into accepting their plan with misleading facts or partial truths. They imply they are not going to use taxpayer money when they've asked for a \$1.6 billion government loan. They talk about lowering emissions by taking 3 million cars trips off I95, but they ignore the vastly increased amount of exhaust fumes created by cars idling at crossings further east 32 times every day.

Promises from All Aboard Florida are not enough. They've been anything but transparent up to now and in the EIS they have hidden behind "mitigation" claims rather than openly addressing potential negative impacts with clear action steps. Their loan request should be denied.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis J. O'Donovan", with a long, sweeping horizontal line extending to the right.

Dennis J. O'Donovan

7889 SE Sugar Sand Cir.
Hobe Sound, FL 33455
October 7, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

The "Public Health and Safety" section of the EIS does not adequately address some important negative aspects of the proposed All Aboard Florida program.

On pages S-17 and S-18, the EIS states "The Project would have an overall beneficial effect on public health, safety and security in the rail corridor." Further, "The benefits resulting from decreased congestion and the potential for fewer vehicular crashes and fewer emissions indicate that there will be no significant negative impacts on public health and safety."

These claims are based solely on train riders reducing the number of cars on I95 annually. While the "potential" for fewer crashes exists, there is no way to ensure that fewer cars means fewer crashes. Moreover, the reduction of emissions on the I95 corridor will be offset by the increase in auto exhaust from cars idling at closed crossings 32 times a day near heavily populated communities further east. In season, car lines will be 12-15 strong in each direction, with each auto spewing exhaust while awaiting clearance.

In addition, you should note that All Aboard Florida has not always made safety a priority. They initially refused to provide "sealed corridors" in their plan. Only after the Government demanded that they provide these safety features did they agree to include them.

As in other areas, All Aboard Florida has not fully addressed the potential negative impacts of their service on "Public Health and Safety." Unless or until they do so, their loan should be denied.

Sincerely,



Karen O'Donovan

7751 SE Little Harbor dr
Hole Sound
FL 33455

11-19-14

Dear MR Winkle

MR S. Winkle
FRA
1800 N. Jersey Ave
Rm W 38-11
Wash
DC 20590

I am writing to express my disgust that the all aboard fl. Rail project is receiving any consideration. No civilized gov. would cause pain and suffering to a large community for the potential benefit of a large private equity fund Fortress. If this went to a vote it would be shut down.

The damage to SE FL. will be catastrophic, not just financial (losing fishing - bridges down) but there will be fatalities either direct or indirectly by heart patient waiting at crossing.

The assumptions are bogus and logical answer is do it in middle of state ie upgrade existing track - yes it exists where no people live.

Please do the right thing and
shut it down.

Yours Sincerely

J. BARRY O. BRIEN

[Signature]

BE mech
MBA

☞ 914 552 0208

☞ OBRIENBAR @ AOL. com

☞ 772 675 1022

CC Gov. A Scott

Ananth Prasad

Sen M Rubio

Sen B Nelson

Sen J Rockefeller

Sen V Thune

Dec. 1, 2014

To - John Winkle

I would like to express my feelings about "All Aboard Florida".

I have not seen much press covering the effect of this "Terrible Idea" on the schools.

What about the children that walk to school and home again.

How about the parent's that arrange their time to pick-up and deliver

How about the Buses?
How about sporting events
I would like to hear more about this.

Mrs. Diane Murphy

9638 S.E. Gleason St

Hebe Sound, Fla
33455

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation

**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I am a resident of Martin County and my primary concern is in regard to the railroad crossings and the way the trains will impact emergency vehicles as well as other vehicular traffic. This area is densely populated and the rail crossings are the norm unlike the northeastern states where there are many more overpasses/underpasses.

There are many times when traffic is backed up into the major highways, e.g. Monterey Rd & US 1 South. There are access points in some areas ^{where ambulances} ~~that~~ have to cross the railroad tracks to get to the hospitals - both in Stuart as well as Jupiter. This concerns me greatly!

Incidents of cars becoming disabled on the tracks as well as pedestrian deaths occur from time to time - how quickly can these high speed trains brake?

Secondly, I am also concerned about the deleterious effect these trains will have on downtown Stuart, which is an economic hub of the city. Train traffic goes through the downtown and is already negative.

As far as this information session was concerned I was disappointed. Rather than milling about stations, I

If you need additional space, please attach a second sheet to this page

believe a formal presentation with a question & answer session would have been more productive. There could have been 3 (1 hr sessions) to meet the needs of the community.

Deanne McKern RN

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Dianne McKeon
Address	5310 SE Lost Lake Way Hobe Sound, FL 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available dianne33455@hotmail.com

Mollie Ky an McEachern
8945 SE PLAT Fern
Hobe Sound, FL 33455

October 16, 2014

Mr. John Winkler
Federal Railroad Admin.
1200 N.T. AVE S.E.
RM W38-31
WASHINGTON, DC 20590

RE: ALL NOT ABOARD FAST TRAIN TO GREENS
AT THE EXPENSE OF ALL LIVING THINGS.
ON THE COAST OF SOUTH FLORIDA.

Dear Mr. Winkler,

Please come to our area and see
for yourself the unique wildlife and
nature we are lucky to coexist with
here in Hobe Sound, FL. 29' above sea
level gives us a constant breeze and
amazing bird life. I have not had a
car for a year and yet it is not a
problem as our community is a
sustainable one. Walking and biking
I can access anything needed or
wanted.

Please don't let Mr. Reining's
greed (see article) end all of this. There
is a place for tons of trains along
the interstate - not along our
walking & biking paths. Please -
put a lot of thought into your job.

Thank you,

Mollie Ky an McEachern

John A. MASON
7720 SE Needle Palm
Circle HOBE Sound
FLA. 33455

ATT.

John Winkler

There has been no
mention of the amount
of people killed by
F/A. Trains.

I did read that
in 11 yrs 221 people
were killed by trains
in FLA.


if you increase the
number of high speed
trains by 32 more
per day what will
that amount to per yr.
stop the killing

John A. Mason

4920 SE Longleaf Rd.
Hobe Sound, FL 33455
Nov. 10, 2014

Mr. John Kinkle,

We feel it to be a travesty to put "All Aboard Florida" through our country without submitting your plan for a vote. This project will impede boat and vehicle traffic as well as harming Stuart Commerce. There is a great deal of property



where this train will not
affect the daily business and
flow of traffic - why not put
it there!

Yours truly,
Patience Martin

7622 S.E. Dove Street
Hobe Sound, FL 33455
November 1, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
SE Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

Our family attended the local educational/input forum at the Charlie Kane Center in Stuart, Florida this past week. Until that time we were opposed to All Aboard Florida's plan for a high speed passenger train for many reasons:

Financial – We are skeptical that the project can sustain itself. Same line passenger trains have been attempted before and have failed. The project's supposed mission is to provide passenger service but many believe that the project's mission is to obtain RRIF loans under the guise of providing passenger service and when that fails to utilize those tracks to double freight traffic. We hope this theory will be duly "Snoped" by the FRA before any financial considerations are made.

Safety – Hobe Sound houses an elementary school not more than a couple of blocks from the proposed rail with walkers and bike riders traveling that particular crossing on a daily basis. Additionally, Hobe Sound's (and other communities along the tracks) rural nature lends itself to children and adults crossing the tracks at locations other than armed crossings.

Waterways – The Okeechobee Waterway has a single track train crossing. It would be impossible to run an additional 32 trains every day without dramatically influencing marine traffic and having a significant economic impact. The EIS indicates a closing cycle is 15 minutes, those who are on the water say it's closer to 30, we believe this information should be tested independently to determine accuracy.

Businesses – The number of businesses that will be negatively impacted by the increased trains is significant. Additionally AAF speaks to "taking cars off the roads" but those same cars stop at locations all along the route from Miami to Orlando to eat, and sometimes stay, which provides an economic boost to our communities.

Medical Emergencies – We will separate this from Safety because we have a large population residing east of our tracks. While AAF talks to the "60 second" rule of arms closure, our roads back up quickly regardless of the time the arms are closed and those at the back of the line will experience much longer delays, with dire results if those vehicles are emergency vehicles.

Mr. John Winkle, FRA

November 1, 2014

Page II

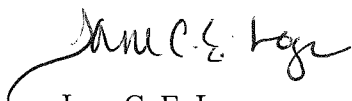
Independent Evaluation – We are concerned that the FRA is making decisions based on an Economic Impact Study that was paid for by AAF. That would be the equivalent of banks allowing homeowners to select their own appraiser, a practice abolished long ago for good reason. At the very least an independent study should be done and compared to that provided by AAF to insure consistency.

Location – We are concerned that efforts have not been made to work with CSX to determine viable options to run the train up the center of the state – a more direct route which would impact fewer communities and waterways.

Since attending the forum we have added to our list of concerns a distrust of the company itself. Every question that we asked had a “fast talking” answer or was inconsistent with what another representative had told us. Just a couple of examples were the assurance that there would “never be delays” as a result the new trains due to their scheduling. There are already delays that occur when crossing arms are out of order. So, with the addition of the thirty-two trains which are more subject to delays as a result of their passenger nature, and a second set of tracks which can experience issues all their own, we are skeptical that there will “never be delays”. When we made inquiries as to ridership study disclosures we were told that only some of the studies were disclosed with their RRIF loan request but that some were proprietary, we were later told by another representative that all the ridership studies had been disclosed. We did, however, get an honest answer when we asked whether or not the tracks that would be laid for passenger trains are engineered to support freight traffic if the passenger train failed – obviously the answer was “yes”.

We realize FEC can do what it wants with the tracks that it has, and can even add tracks or increase train volumes if it wants. We don't believe, however, that the FRA should participate in the funding of this project through RRIF loans when there are so many unaddressed issues and concerns about the true intent of the project, about its real impact, and about the accuracy of the information provided in the EIS. If FEC/AAF are confident that “passenger” rail will be successful then let them fund it through private issues and not put the risk on the Federal government.

Sincerely,



Jane C. E. Logan



Charles T. Logan

Cc: President Barack Obama
Representative Patrick Murphy
Senator Joe Negron

Dear Mr. Winkle,

The current crossings, more than 300 of them, are not set up to signal pedestrians, cyclists and motor vehicles of oncoming trains traveling at 110 mph. Who will pay for the upgrade? Why would taxpayers be expected to pay when there is not a single plus to residents of Martin County?

Thank you for your consideration.

Sincerely,

Susan Lester

7740 SE Little Harbour Drive

Hobe Sound, FL 33455

772-245-8023

cc Rick Scott

Joseph Szabo

Paul Nissenbaum

Anthony Foxx

Bill Nelson

Marco Rubio

Joe Negron

Thad Altman

Dear Mr. Winkle,

The current crossings, more than 300 of them, are not set up to signal pedestrians, cyclists and motor vehicles of oncoming trains traveling at 110 mph. Who will pay for the upgrade? Why would taxpayers be expected to pay when there is not a single plus to residents of Martin County?

Thank you for your consideration.

Sincerely,

Susan Lester

7770 SE Little Harbour Drive

Hobe Sound, FL 33455

772-245-8023

cc. Rick Scott

Joseph Szabo

Paul Nissenbaum

Anthony Foxx

Bill Nelson

Marco Rubio

Joe Negron

Thad Altman

RICHARD WOOSTER

8029 SE LITTLE HARBOUR
UNIT G-4

HOBBS SOUND, FL 33455

NOV. 19, 2014

DEAR MR. WINKLE,

I AM CONCERNED ABOUT THE "ALL ABOARD FLORIDA"
PROPOSED PROJECT FOR SEVERAL REASONS:

1. I HAVE CONCERNS FROM A SAFETY STANDPOINT -
STREET CROSSINGS ARE NOT ADEQUATE FOR
TRAINS AT THIS SPEED, AND EMERGENCY
RESPONSE VEHICLES WILL BE NEGATIVELY
IMPACTED.
2. WHY SHOULD THIS PROJECT GET A \$1.6 BILLION
RIFF LOAN. PASSENGER TRAINS ARE NOT
PROFITABLE. HOW WILL THE LOAN BE REPAYED?
3. I AM VERY CONCERNED ABOUT THE NOISE
AND VIBRATION GENERATED BY THESE
TRAINS.

THIS PROJECT MUST BE STOPPED.

SINCERELY,

Richard Wooster

DAVID L. WENNER

7055 SE Golfhouse Dr.
Hobe Sound, FL 33455
772-545-7188
November 21, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave, SE Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

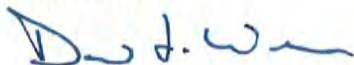
My wife and I are very concerned about the negative effects of the proposed additional rail traffic being proposed by All Aboard Florida. Our most important concern is safety. We know of no other current or proposed rail system in which trains pass so many crossings at high speeds without overpasses. There are four crossings near our home that we use almost daily. We are also worried about the delays in emergency vehicle access because our community is separated from hospitals by the Florida East Coast Railway line.

Some of our friends are also concerned about the effect of these issues – and the increased noise and vibration of so many additional trains – on their home values.

We are confused as to why an additional passenger rail service is warranted, and the EIS does not make a convincing case. We know of no profitable passenger lines and wonder if the RIFF loan is being sought for purposes other than for what it is intended.

For all these reasons we hope you will delay approval of the \$1.6 billion loan to AAF until our concerns have been fully addressed.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. L. Wenner', with a stylized flourish at the end.

David L. Wenner

Cc: Senator Marco Rubio
Senator Bill Nelson

Robert Weeden
7900 SE Little Harbor Drive
Apt E4
Hobe Sound, FL 33455
(914) 629-2928

Mr John Winkle
FRA

November 26, 2014

1200 New Jersey Ave, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle,

I am a new Florida resident having moved with my wife from Boston, MA recently. I am retired and we found Hobe Sound and Martin County to be a perfect place to live - Stuart and Jupiter are nearby towns and wonderful waterways at St Lucie and Loxahatchee Rivers. We live east of The train tracks on a marina near Peck Lake (inland waterway).

I recently attended a meeting regarding the EIS study for the AAF train plan and I have become alarmed

by the entire project and the impact it will have on the surrounding communities in Martin County.

Here are my concerns:

- Safety. I am a huge supporter of trains having commuted for 30 years into NYC on MetroNorth and travelled between Boston, NYC and Washington, DC over 500 times on the ACELA train.

However, I do not believe trains are safe here due to the large number of at grade crossings and lack of fences to protect people from the tracks. High speed trains in the northeast of the U.S. ~~do~~ rarely encounter autos and other vehicles due to overpasses + underpasses. This is not the case in Florida!

- Emergency response time. I am concerned about ambulances

being held up at crossings and this could mean the difference between life + death. Again, we don't have this problem in NY and Boston.

- Taxpayer money used. As a former banker, I am dismayed that the FRA would grant a RIFF loan for this passenger rail plan. I believe that the credit risk to taxpayers is extremely high and only benefits a private corporation, not the communities negatively impacted by high speed trains going through highly populated towns. I also don't ~~not~~ agree that the tax exempt privilege should be granted for the proposed Private Activity Bonds. That benefit should only be

allowed for infrastructure improvements that benefits all communities (ie bridges, roads, water plants) and members of the communities.

Finally, nowhere in the EIS study are the financial assumptions revealed to the public. This is extremely important information that is the basis for most of the conclusions of the EIS study. It is unfair to withhold this data from the public since we are going to be paying for this private project.

Regards,



cc Governor Rick Scott
Senator Bill Nelson
Senator Marco Rubio
FL Senator Joe Negron

cc Sec Transportation - Anthony Foxx
USCG

Robert Weeden
7900 SE Little Harbor Drive
Apt E4
Hobe Sound, FL 33455
(914) 629-2928

Mr John Winkle
FRA

November 26, 2014

1200 New Jersey Ave, SE
Room W38-311
Washington, DC 20590

ACTION Is assigned to:
FRA
S10-141205-013
CONTROL NO.

Dear Mr. Winkle,

I am a new Florida resident having moved with my wife from Boston, MA recently. I am retired and we found Hobe Sound and Martin County to be a perfect place to live - Stuart and Jupiter are nearby towns and wonderful waterways at St Lucie and Loxahatchee Rivers. We live east of the train tracks on a marina near Peck Lake (inland waterway).

I recently attended a meeting regarding the EIS study for the AAF train plan and I have become alarmed

by the entire project and the impact it will have on the surrounding communities in Martin County.

Here are my concerns:

- Safety. I am a huge supporter of trains having commuted for 30 years into NYC on MetroNorth and travelled between Boston, NYC and Washington, DC over 500 times on the ACELA train.

However, I do not believe trains are safe here due to the large number of at grade crossings and lack of fences to protect people from the tracks. High speed trains in the northeast of the US. ~~do~~ rarely encounter autos and other vehicles due to overpasses + underpasses. This is not the case in Florida!

- Emergency response time. I am concerned about ambulances

being held up at crossings and this could mean the difference between life + death. Again, we don't have this problem in NY and Boston.

- Taxpayer Money Used. As a former banker, I am dismayed that the FRA would grant a RIFF loan for this passenger rail plan. I believe that the credit risk to taxpayers is extremely high and only benefits a private corporation, not the communities negatively impacted by high speed trains going through highly populated towns. I also don't ~~not~~ agree that the tax exempt privilege should be granted for the proposed Private Activity Bonds. That benefit should only be

allowed for infrastructure improvements that benefits all communities (ie bridges, roads, water plants) and members of the communities.

Finally, nowhere in the EIS study are the financial assumptions revealed to the public. This is extremely important information that is the basis for most of the conclusions of the EIS study. It is unfair to withhold this data from the public since we are going to be paying for the private project.

Regards,



cc Governor Rick Scott
Senator Bill Nelson
Senator Marco Rubio
FL Senator Joe Negron

cc Sec Transportation - Anthony Foxx
USCG

CAROLYN B. WAKEFIELD
6946 SE MOURNING DAVE WAY
HOBE SOUND, FL. 33455

December 1, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
SE Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

This letter pertains to the high speed passenger rail service proposed for the East Coast of Florida.

Have you ever read anything by author Carl Hiaasen? He is a Floridian who writes books and articles about corruption, scams and just plain strange things, all of which take place in Florida. When asked why he writes only about Florida he explains that since the state is at the bottom of the 48 contiguous states, all the nation's sludge flows down here. I know you have heard of Bernie Madoff and dangling chads, for example.

In your wildest dreams can you imagine that Big Business can convince a country, a state, several counties and towns, politicians and realtors, that a passenger rail service with 32 trains a day from Miami to Orlando will be profitable? Recent history clearly refutes this.

Of course, Disney is represented on the Board of the Railroad. Of course, non-interest bearing bonds will finance it. (who would buy one?). Of course three cities are rushing to build huge railroad stations with no money coming from All Aboard. Of course, the Environmental Impact Study was conducted by All Aboard itself! Of course the Coast Guard representatives have opined that boat traffic on many waterways with drawbridges will be severely interrupted, and the poor physical condition of these drawbridges has not been addressed. This sounds like a perfect plot for a new work by Carl Hiaasen!

I am against All Aboard Florida. I live in a small town along the tracks and like many small towns the Florida East Coast Railroad runs right through the middle of town. There are more than 300 GRADE LEVEL crossings along this route which must be dramatically improved at the expense of the local taxpayers. Ambulances, hospital visits, school buses, shoppers, church worshipers all need to cross these tracks. And all for a GRAND SCHEME by a large hedge fund which really eventually wants to have improved freight service.

*Copy - Carl Hiaasen
miami herald*

*Sincerely,
Carolyn B Wakefield*

DAVID D. WAKEFIELD
6946 SE MOURNING DOVE WAY
HOBE SOUND, FL. 33455
NOVEMBER 7, 2014

Mr. John Winkle
Federal Railroad Commission
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

The All Aboard Florida Intercity Passenger Rail Project as proposed is a bad idea. High Speed rail service is fine when carefully planned and financed. This project is being rushed through by its corporate and Florida State sponsors to avoid responsible planning and environmental delays.

The route chosen between Miami and Orlando goes through the middle of many large and small coastal towns in southeast Florida for almost 200 miles. There are many grade crossings, four in the small town of Hobe Sound alone. My wife and I cross the tracks at least six times a day on average. Safety is a real concern because of the frequency of the 32 planned trains. Urgent visits to hospitals and doctors, fire and police emergencies will be impacted with frequent traffic backups.

Along with the everyday inconvenience we local taxpayers will be forced to pay for extensive improvements at all the crossings. Sold to us as a "privately financed" project, it will involve taxpayer money developing and improving the four train stations, and a large federal loan to be repaid by State and Local bond issues collateralized by Florida East Coast Railroad assets. If the passenger service loses money, and it may based on recent rail service experiences, taxpayers and bond holders will absorb all the risk.

Another set of tracks exists to the west where the land is much more rural. These tracks are operated by CSX. It is my understanding they have no interest in undertaking passenger service and have never even been approached because of the close ties between FECRR, its owner Fortress Investments, a large Florida corporation and the Governor's administration. Other Florida areas are not affected and are ambivalent.

Please review this project carefully. Thank you.

David D. Wakefield

Mabel Vogel
6978 SE Golf House Dr
Hoke Sound, FL 33455
mabvog@aol.com

Dear Mr. Winkle,

Please be aware of my and many
of my neighbors concerns concerning
increased rail traffic in Martin County
that could delay first responders
to get critically injured or sick
patients to the hospital's emergency
rooms.

I am very concerned about
the trains travelling at 110 mph
through the small villages where
citizens have walked on country
paths to the local stores + schools.
How will these people know when a
train is coming? The possibilities of
deaths is real!

I implore you to listen to us
who live here and would be very
negatively impacted by multi high
speed trains (and 3 mile long freight
trains for 9 hours a day).
Thank you for your help!
Sincerely,
Mabel and Ralph Vogel

*William and Carol Tulko
8056 SE Sequoia Drive
Hobe Sound, Florida 33455-7888*

Phone: 772-220-2634
E-Mail: bilcar0946@aol.com

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

November 26, 2014

Subject: All Aboard Florida Railroad Project

Dear Sir:

It makes no sense to be running these trains through the towns of the Treasure Coast in Eastern Florida. The trains will be running through many small towns with multiple crossings that will impede both foot and automobile traffic. The tracks are not up to high speed trains standards. If All Aboard Florida were truly serious about high speed trains, they would be running on welded tracks with speed over 200 miles per hour.

The current projected speeds will not make the trip to Orlando, as an example, much shorter. You have to factor in the time to get to the train station, park your car, board the train and arrange for ground transportation when you get to your destination of either Orlando or Miami. The area ground transportation would only add to the cost of an already expensive trip. The projected total cost of this service puts it out of the reach of most families plus it is inconvenient.

The only people seeing any profit from this project will be those already living in Orlando and Miami. The major profit will be made by the New York hedge fund (Fortress Investment Group) when they eventually arrange to sell the project and get a return on their original investment in Florida East Coast Railroad, who is driving this project. These rail services in other parts of the country never make money without government intervention. So, when Fortress exits the project with their profit in hand, the taxpayer will be left paying to support a losing situation going forward.

Further, there are projections of many more freight trains, with more freight cars, to be added after the Panama Canal expansion is completed. In Martin County Florida, where we live, we have a railroad draw bridge that crosses the St. Lucie River, which has only one track. There are no plans to replace this bridge built well over 50 years ago or to add additional track. Both freight and passenger trains will have to be staged on either side of the bridge and will block intersections preventing first aid and fire vehicles from performing their duties and risking lives as they wait at the crossings.

The bridge being old and in need of replacement, takes a long time to go up or down when it allows boats to pass under it. The clearance is not sufficient to allow many boats to pass without raising the bridge. As a former boat owner, we have been delayed for long periods of time by its slow opening. We can't imagine what the backups will be on the waterway when there is added more freight and 32 high speed passenger trains a day over this old bridge.

To further complicate the bridge and safety situations, there is a severely curved track just south of this bridge. This was not mentioned in the Environmental Impact Study. This will also slow down trains and cause a backup into downtown Stuart blocking more crossings and adding to this dangerous safety issue.

It would be more expensive but All Aboard Florida would encounter less resistance to their project and get better results by having the trains go west of the populated areas along the Interstate 95 corridor. If the project was relocated there, the trains could go faster, get to their destinations quicker and not interrupt life in the Treasure Coast communities.

If All Aboard Florida is allowed to go through our small towns and take away parking spaces in downtown areas, interrupt both auto and boat traffic, create safety issues and change the way of life for many Florida residents south of Orlando, in the long run it will have a negative effect on the entire State of Florida. Florida may no longer be an area that visitors and residents want to spend their time and money enjoying what Florida has to offer. We sincerely hope this project is stopped from continuing as currently planned.

Sincerely,



William S. Tulko



Carol B. Tulko

No

19 Nov 2014

No, No, No,

No No, No, No, No,
No, No, No, No,
No, No, No, No,

No, No, No

No No, No, No, No

To ALL Aboard Florida

MRS Carolyn Sweeney
5094 SE Franklin Place
Hobe Sound FL 33455

Nov. 19, 2014

Dear Sir,

The residents of Martin County
are counting on you to help
us save our quality of life in
Martin County. We are being
rail roaded by a hedge fund,
Fortress, so they win and
we all lose. They have
stated that they are not going
to live up to the "Sealed Corridor"
concept as outlined by the FRA's
Highway-Rail Grade Crossing Guidelines
for High Speed Passenger Rail (version 1,
Nov. 2009)

This is an unsafe project and
we, as taxpayers, will be footing
the bill. This is a special
place, and this will hurt our
quality of life, our small towns
and small businesses.

Please think of the
residents that will be affected.

Thank you,

Susan R. Sullivan

7312 Golfhouse Dr.
Hobbs Sound, 7133455
SRS hoblot@aol.com

NOV. 11, 2014
6646 SE YORKTOWN
HOBE SOUND, FL 33455

MR. JOHN WINKLE
FED. RAILWAY COMMIS.
1200 NEW JERSEY AVE. SE.
Room W38-31
WASHINGTON, D.C. 20550

DEAR MR. WINKLE,
I & MY NEIGHBORS ARE VERY MUCH
OPPOSED TO THE AAF TRAIN PROJECT INVOLVING INCREASED TRACK ACTIVITY.

MILLIONS OF PEOPLE WOULD BE SUBJECT TO ADDED NOISE POLLUTION, TRAFFIC CONGESTION & DISRUPTION OF OUR SLEEP & DAILY ACTIVITIES WITH THIS PLAN. NOT TO MENTION AAF'S POSSIBILITY OF FINANCIAL FAILURE (A BURDEN TO TAXPAYERS OR DE-VALUATION OF PROPERTY VALUES.

WOULD YOU LIKE TO LIVE WITHIN A QUARTER OR HALF MILE OF THE TRAIN TRACKS? DO THOSE FOLKS LIVING AWAY A MILE OR TWO CARE VERY MUCH? I DOUBT IT.

PLEASE DO THE RIGHT THING! PLEASE DO NOT ALLOW AAF TO CREATE HAVOC TO AMERICAN COMMUNITIES,

REGARDS
RICHARD F. SMERDA

November 29, 2014

Mr. John Winkle, FRA
1200 New Jersey Avenue, SE Room
W38-311
Washington, DC 20590

Dear Sir:

The idea of a passenger train between Miami and Orlando, FL is a total ruse to upgrade the existing tracks that run through the middle of the coastal towns along the east coast of Florida. There has not been a profitable passenger train in the United States in the 100 years. They want the tracks upgraded at taxpayer expense to increase freight travel on these tracks through neighborhoods at 110 miles per hour. Thirty-two trains per day will disrupt for hours every day automobile traffic, school buses transporting children safely to and from school, emergency ambulances to hospitals on the opposite side of the tracks, fire, and police, not to mention commercial boat traffic on the St. Lucie River.

The research has not been done as to the effect of high speed rail traffic on noise, pollution, vibration, safety and the cost to the economy of these coastal towns and the obstruction of the waterways which are vital to the marine services, marine retail and all their supporting businesses.

Any such increased rail traffic should be moved to the tracks west of these towns, near Florida's Turnpike for the least impact on our Treasure Coast towns.

Please stop All Aboard Florida! It is an absurd idea that has not been thoroughly investigated. This will ruin these small, picturesque towns forever, dividing them in half, without having given any of the citizens of the towns any voice whatsoever.

Very truly yours,

Alison G. Small

Alison G. Small
7080 SE Wood Stork Way
Hobe sound, FL 33455

772 546-9322

12

2014 DEC 12 AM 9:13
OFFICE OF THE
EXECUTIVE SECRETARY

November 29, 2014

Mr. Joseph Szabo
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Sir:

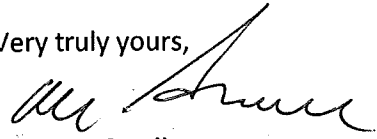
The idea of a passenger train between Miami and Orlando, FL is a total ruse to upgrade the existing tracks that run through the middle of the coastal towns along the east coast of Florida. There has not been a profitable passenger train in the United States in the 100 years. They want the tracks upgraded at taxpayer expense to increase freight travel on these tracks through neighborhoods at 110 miles per hour. Thirty-two trains per day will disrupt for hours every day automobile traffic, school buses transporting children safely to and from school, emergency ambulances to hospitals on the opposite side of the tracks, fire, and police, not to mention commercial boat traffic on the St. Lucie River.

The research has not been done as to the effect of high speed rail traffic on noise, pollution, vibration, safety and the cost to the economy of these coastal towns and the obstruction of the waterways which are vital to the marine services, marine retail and all their supporting businesses.

Any such increased rail traffic should be moved to the tracks west of these towns, near Florida's Turnpike for the least impact on our Treasure Coast towns.

Please stop All Aboard Florida! It is an absurd idea that has not been thoroughly investigated. This will ruin these small, picturesque towns forever, dividing them in half, without having given any of the citizens of the towns any voice whatsoever.

Very truly yours,



Peter M. Small
7080 SE Wood Stork Way
Hobe Sound, FL 33455

772-546-9322

November 29, 2014

Mr. John Winkle, FRA
1200 New Jersey Avenue, SE Room
W38-311
Washington, DC 20590

Dear Sir:

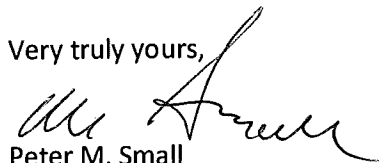
The idea of a passenger train between Miami and Orlando, FL is a total ruse to upgrade the existing tracks that run through the middle of the coastal towns along the east coast of Florida. There has not been a profitable passenger train in the United States in the 100 years. They want the tracks upgraded at taxpayer expense to increase freight travel on these tracks through neighborhoods at 110 miles per hour. Thirty-two trains per day will disrupt for hours every day automobile traffic, school buses transporting children safely to and from school, emergency ambulances to hospitals on the opposite side of the tracks, fire, and police, not to mention commercial boat traffic on the St. Lucie River.

The research has not been done as to the effect of high speed rail traffic on noise, pollution, vibration, safety and the cost to the economy of these coastal towns and the obstruction of the waterways which are vital to the marine services, marine retail and all their supporting businesses.

Any such increased rail traffic should be moved to the tracks west of these towns, near Florida's Turnpike for the least impact on our Treasure Coast towns.

Please stop All Aboard Florida! It is an absurd idea that has not been thoroughly investigated. This will ruin these small, picturesque towns forever, dividing them in half, without having given any of the citizens of the towns any voice whatsoever.

Very truly yours,



Peter M. Small
7080 SE Wood Stork Way
Hobe sound, FL 33455

772-546-9322

2014 DEC 12 AM 9:12
EXECUTIVE SECRETARY AT

November 29, 2014

Mr. Joseph Szabo
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Sir:

The idea of a passenger train between Miami and Orlando, FL is a total ruse to upgrade the existing tracks that run through the middle of the coastal towns along the east coast of Florida. There has not been a profitable passenger train in the United States in the 100 years. They want the tracks upgraded at taxpayer expense to increase freight travel on these tracks through neighborhoods at 110 miles per hour. Thirty-two trains per day will disrupt for hours every day automobile traffic, school buses transporting children safely to and from school, emergency ambulances to hospitals on the opposite side of the tracks, fire, and police, not to mention commercial boat traffic on the St. Lucie River.

The research has not been done as to the effect of high speed rail traffic on noise, pollution, vibration, safety and the cost to the economy of these coastal towns and the obstruction of the waterways which are vital to the marine services, marine retail and all their supporting businesses.

Any such increased rail traffic should be moved to the tracks west of these towns, near Florida's Turnpike for the least impact on our Treasure Coast towns.

Please stop All Aboard Florida! It is an absurd idea that has not been thoroughly investigated. This will ruin these small, picturesque towns forever, dividing them in half, without having given any of the citizens of the towns any voice whatsoever.

Very truly yours,

Alison G. Small

Alison G. Small
7080 SE Wood Stork Way
Hobe Sound, FL 33455

772-546-9322

Mitchell Shivers
7128 SE Greenview Place
Hobe Sound, Florida 33455
646-244-7201

October 30, 2014

John Winkle, Director
Federal Railway Administration
1200 New Jersey Ave, S.E. Room W 38-31
Washington, DC 20590

Re: Draft Environmental Impact Statement on All Aboard Florida

Dear Sir:

I strongly oppose the All Aboard Florida (AAF) proposal to provide intercity passenger rail service between Miami and Orlando using the existing FEC tracks.

I do so because of my concern over the likely adverse impact the project will have on the economic well being of coastal Florida from just north of Palm Beach until Orlando. Further, the project imposes heavy burdens on the citizens of the Treasure Coast- without any benefit whatsoever in return.

The DEIS fails to adequately address the numerous concerns, expressed over many months, by the Treasure Coast electorate. These concerns include health, safety, traffic operations, economic and quality of life impacts.

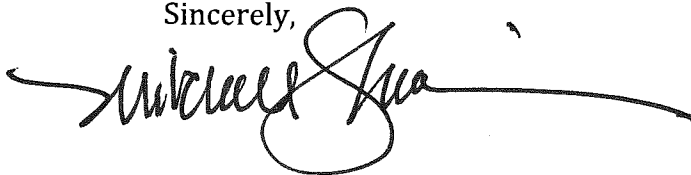
The Treasure Coast public is very familiar with the existing FEC track system, its current safety issues (poor, antiquated, unsafe bridge crossings and unsafe vehicle and pedestrian crossings) and its current usage (limited runs of freight trains).

This one time asset of coastal Florida is now promising to become a burden. It's practical utility to the State is coming to an end.

I endorse all the findings of the letter sent to you by the Treasure Coast Legislative Delegation, chaired by Florida Representative Debbie Mayfield (District 54).

I urge you to reject the DEIS as it stands and insist that Treasure Coast citizen concerns be fully addressed. If they are not, I respectfully request that you reject the AAF proposal in its entirety. Thank you, sir.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitchell Shivers", with a long horizontal flourish extending to the right.

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

AS PROPOSED, ALTHOUGH A LOT OF DETAILS ARE MISSING, THE "ALL ABOARD" RAIL IS A TOTAL SHAM!! WHERE IS THE MARKET STUDY THAT JUSTIFIES THE DEMAND FOR 32 TRAINS PER DAY? THE DISRUPTION AND INCONVENIENCE THAT THESE TRAINS WILL DO TO ALL THE SMALL COMMUNITIES ALONG THE COAST IS UNBELIEVABLE. IF THERE MUST BE A TRAIN, WHY NOT RUN IT ON TRACKS NEAR THE TURNPIKE? IT WOULD BE SHORTER AND CAUSE MUCH LESS DISRUPTION. IT SHOULD ALSO BE PART OF THE AGREEMENT THAT IF (OR WHEN) THE TRAINS CAN NOT SUPPORT THEMSELVES, THE OWNERS/DEVELOPERS WILL BE PERSONALLY LIABLE FOR THE SHORT FALL. NO TAXPAYER MONEY SHOULD EVER BE ALLOWED TO FUND THIS DISASTER.

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	PETER J. SCHUYLER
Address	7968 SE DOUBLE TREE DR HOBE SOUND, FL 33455
email	Please provide your email address if you would like to receive notification when the FEIS is available

Nov. 18, 2014

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I am 100% opposed to All Aboard Florida. The railroad is totally unacceptable for many reasons including - stopping emergency vehicles, interrupting our waterways, noise, negative environmental impact and many more.

Lets stop them in their tracks!

Go Team!

Patty Schuyler
Hobe Sound, Fla
(resident)

**All Aboard Florida Intercity Passenger Rail
Project
Draft Environmental Impact Statement**



**U.S. Department
of Transportation
Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Mrs. Peter Slaughter	
Address	7968 SE Double Tree Drive Hobe Sound, Fla. 33455	
email	Please provide your email address if you would like to receive notification when the FEIS is available pj5pk5@juno.com	

September 25, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave S.E. Room W38-31
Washington, D.C. 20590

Dear Mr. Winkle

Allowing All Aboard Florida to both double the tracks and drastically increase rail traffic on an old shoreline route is to flagrantly disregard Florida's development over the past 60 years. The right choice is to facilitate the use of existing rail lines to the west avoiding a dangerous conflict with the current high density population. Few people really want to stop progress, including freight from the new enlarged port of Miami as well as passenger trains. But this should be regulated so it is good for all, not just a single company who would wantonly disregard public safety for profit. If public safety was to be fully considered it would be more economic for this company to use the existing western rail line. I believe that your mission as a regulatory agency should have public safety as your first concern.

Railroad crossings are a major safety concern for both the time a closed crossing stops emergency traffic and the speed of proposed high speed trains.

Road closing times are made up of three events. The longest of these is the time from when the guards go down to when the train arrives. As you are aware, this has to be a lot longer for a high speed train in order for the train to have time to stop if the guards fail to operate. The time the train crosses the road is probably the shortest of the intervals with the third being the time to remove the guards after the train passes. So we are talking about a total of several minutes, up to 10 minutes – critical minutes we are told for a patient with a stroke or heart attack - minutes that the roads are blocked 32 times a day for a total of 5 hours a day at each rail crossing up and down the shoreline on roads which are now standing between the patients home and hospital emergency care. This is an unacceptable risk for the public just so a company can make money. Again, the solution is to use the western tracks.

Also high speed is involved – the proposed trains will be speeding through complicated road crossings. Crossings like "confusion corner" in Stuart which are safety concerns just for the slow existing road traffic. A high speed train with the bare minimum safety crossing guards proposed will be deadly. Whole cities have been built up around these crossing in the last 60 years and the only reason there hasn't been more deadly accidents is that there are only a few trains and they slowly, very slowly, approach these areas. Allowing high speed train operation would be deadly and totally irresponsible. The company proposing to do this has economics in mind not public safety. Installing really safe crossing guards in these areas would be prohibitively expensive. Again the solution is to use the western tracks away from these high population shoreline areas.

There are other issues of public concern such as the many frequent closings of the very old rusty, worn railroad bridges. These bridges should be replaced and elevated to recognize the difference between what exists now and when they were built almost 100 years ago. Road bridges have had to face this reality and have been upgraded over waterways and roadways. Should not the railroads be held to the same public standards?

If All Aboard Florida is allowed to follow through on their current plans it will put the Florida public at risk and become a public expense just for company profits. This should be as unacceptable to you as it is to us.

Please direct All Aboard Florida to amend their plans.

Sincerely

A handwritten signature in cursive script that reads "The Schilkes".

David and Barbara Schilke
10708 S.E. Dock Court
Hobe Sound, FL 33455



All Aboard Florida

David Schilke <dc.s.msee1969@gmail.com>

Thu, Sep 25, 2014 at 11:55 AM

To: AAF_comments@vfb.com

Bcc: "drew.n.campbell@gmail.com" <drew.n.campbell@gmail.com>

Gentlemen

Allowing All Aboard FL to both double the tracks and drastically increase rail traffic on an old shoreline route is to flagrantly disregard Florida's development over the past 60 years. The right choice is to facilitate the use of existing rail lines to the west avoiding a dangerous conflict with the current high density population. Few people really want to stop progress, including freight from the new enlarged port of Miami as well as passenger trains, but this should be regulated so it is good for all, not just a single company who would wantonly disregard public safety for profit. If public safety was to be fully considered it would be more economic for this company to use the existing western rail line. I believe that your mission as a regulatory agency should have public safety as your first concern.

Railroad crossings are a major safety concern for both the time a closed crossing stops emergency traffic and the speed involved.

Closing time has 3 intervals. The most important is the time from when the guards go down to when the train arrives. This has to be a lot longer for a high speed train in order for the train to have time to stop if the guards fail to operate. The time the train crosses the road is probably the shortest of the 3 intervals with the second being the time to remove the guards after the train passes. So we are taking about a total of minutes - minutes that the roads are blocked 32 times a day - critical minutes we are told for a patient with a stroke or a heart attack - and this will happen 32 times a day for a total of hours at each crossing up and down the shoreline on roads which are now standing between the patients home and hospital emergency care. An unacceptable risk for the population just for company to make money. The solution is to use the western tracks.

And high speed is involved - the proposed trains will be speeding through complicated road crossings. Crossings like "confusion corner" in Stuart which in themselves pose safety risks just for the slow existing road traffic. A high speed train with the bare minimum safety crossing guards proposed will be deadly. Whole cities have been built up around these crossings in the last 60 years and the only reason there hasn't been more deadly accidents is that there are only a few trains and they slowly, very slowly, approach these areas. Allowing high speed train operation would be deadly and totally irresponsible. The company proposing to do this has economics in mind not public safety. Installing safe crossing guards in all these areas would be prohibitively expensive. Again the solution is to use the western tracks away from these high population shoreline areas.

There are other issues of public concern such as the many frequent closings of the existing very old rusty, worn railroad bridges. These bridges should be replaced and elevated to recognize the difference between what exists now and when they were built almost 100 years ago. Road bridges have had to face reality and have had to do this. Should not the railroads be held to the same standards.

If All Aboard Florida is allowed to follow through on their current plans it will put the Florida public at risk and become a public expense just for company profits. This should be as unacceptable to you as it is to us.

Please direct All Aboard Florida to amend their plans.


David Schilke <dc.s.msee1969@gmail.com>

Thu, Sep 25, 2014 at 11:56 AM

To: Barbara Schilke <barbara.schilke@gmail.com>, Barbara Hampp <jbhampp@bellsouth.net>, Barbara Farenwald <BFarenwald@hollandamerica.com>, David Schilke <dc.s.msee1969@gmail.com>

[Quoted text hidden]

David Schilke
10708 SE Duck Ct
Hobe Sound, FL 33455

8800 S. Ocean Dr Apt. 801

Jensen Beach,

Fl. 34957

October 28, 2014

Mr. John Winkle

Federal Railroad Administration

1200 New Jersey Ave. S.E. Rm. W38-31

Washington, DC 20590

Dear Mr. Winkle,

Re - All Aboard Florida

Having lived East of the railroad tracks in Jensen Beach for the past 25 years, I have seen the area from Fat Pierce to Hole Sound grow more and more, with a great increase in residences, and traffic on our roads.

Finding almost all my personal activities depending on crossing the present railroad tracks daily - I am aware that adding so many more trains each day, will be a great disservice to the thousands of folks who must have to wait as these trains and box cars increase in number between Orlando and Miami. The danger, the delays, and the noise will become intolerable, and property values will surely decrease along the present route.

It seems to me, that it would be wiser to scrap the entire train line, since much of the present tracks need a great deal of upgrading anyway, and then start building as many new lines as needed West of R. 95. The present track acreage would probably be worth a great deal, if sold for development of new homes and businesses - and that money could be used to help pay off the debt of the new tracks.

For the thousands of folks you will not hear from, but who feel the same way. Let me be their voice!

Yours Truly, Marie Kettel

November 25, 2014

John Winkle
Federal Administration
1200 New Jersey Avenue; S.E.,
Room W 38 31
Washington, D.C.

Dear Sir:

My husband and I moved to Florida, Martin County in 1971. We settled in Stuart, moved to Jensen Beach in February, 1975, and in 1977 settled in the area known as Rio. We picked this area because it seemed like a very quiet community with lots of trees, which seemed to us like the small town we came from,

From childhood we were taught that this country had a government of the people, by the people and for the people, but now it seems as though it is a government of the 'big money' and the people have so say about what happens on their streets and in their neighborhoods. From what I have read in local newspapers, I feel there is a very small percentage of the citizens residing on the Treasure Coast who are in favor of All Aboard Florida.

In addition to disruptions in residential areas, there is the matter of the city of Stuart with the railroad tracks running through the downtown area.

What about "Confusion Corner"? -- will this quaint intersection be removed? Does the average citizen have any say in what happens in their neighborhoods? Where are local government officials?

Yours truly,

CC: Stuart News

Bette Harkness



10/30/2014

To Whom It May Concern:

My husband and I are totally against the FEC building AAF through Martin County along the FEC corridor. It will destroy Martin County along the coast where most of the population lives. Western Martin County has thousands of acres of undeveloped land and it is a straight shot to Orlando using that direction. Why not insist that AAF build its tracks out there?

My husband and I happen to live on the wrong side of the tracks and are fearful of long delays for Emergency Rescue Services to be able to reach us. We frequently wait long periods of time for the trains to pass, with us having to sit right in the exhaust of multiple cars. That will be a nightmare when there are 32 additional openings and closings. We will literally be almost housebound.

Additional concerns about the RR Bridge, which is almost 100 years old, cause pause. I've learned that the only inspections done on this bridge are done by the FEC and they refuse to release inspection reports to anyone. Attached is a picture of the FEC Bridge. Does it look like it can handle an extra 32 raising and lowering a day? AAF refuses to double track or build a new bridge.

There were 2 train derailments north of the Roosevelt Bridge in 2004 near my home. A train carrying crushed rock derailed creating what looked like a moonscape. FEC cleaned up the cars but left the debris which ultimately changed the drainage pattern of storm water in our area. When Martin County asked FEC for assistance, they refused stating that they owned the right of way and that they didn't need to remove anything further. The County ultimately spent hundreds of thousands of dollars trying to improve storm water drainage in my area and it is still not as good as before the derailment. That is not what I call being a good neighbor. Attached are copies of the newspaper articles that covered the derailment.

I have also learned that the company that did the EIS was hired and contracted by FEC. It appears that the fox is in charge of the henhouse. Our County staff has studied the report and it is absolutely not factual and doesn't even look at many areas of concern to our county. I can only assume that the same is true of other counties.

Martin County is paradise to those of us who live here. We frequently vote to tax ourselves to buy conservation land, to build libraries, to maintain infrastructure and we have a very strong Comprehensive Plan to protect ourselves from the mistakes that have been made in other counties. If AAF is asking for government guaranteed loans, don't let them have it. It is a very risky venture and a few people expect to make a large amount of money. There is no commuter train in the world that is nonsubsidized, although I understand that China claims to have one. Please don't let Martin County's citizens' rights be trampled for the profit of a few.

Sincerely,

John P. and Myra Galoci
745 NE Spencer St.
Jensen Beach, Fl., 34957



John P. Galoci



Myra Galoci

12/3/14

Dear Mr. Winkler,

All Aboard FL is a mistake. Please
do the math. 32 crossings + Freight
Trains per day. The 32 AAF most likely
would be from 8:AM - 8PM - 12 hours.

$32 \div 12 = 2.66$ crossings + Freight per
Hour, ~~or~~ every 23 minutes. Can
you imagine the mess to traffic &
Boating if everything shuts down every
23 minutes. This is unacceptable.

Jensen Beach Resident

Gary Fisher

FISHER
895 NE Dixie Highway
Suite #101
Jensen Beach, FL 34957

My office is 50' from the tracks.

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

PLEASE DON'T SEND ANYMORE TRAINS OUR
WAY THROUGH OUR SMALL TOWN OF JENSEN BEACH
FLORIDA. ITS NOISY ENOUGH WITH 4 OR 5 EACH
NIGHT AND MORNING THE WAY IT IS. OUR
LITTLE TOWN WILL BE DEVASTATED
IF ADDITIONAL TRAINS AS PLANNED
WERE TO COME.

THANKS FOR YOUR CONSIDERATION

William B. DeBrosky
William B. DeBrosky

ADDITIONALLY, WHY NOT USE THE CSX TRACKS
IN WESTERN MARTIN COUNTY, WHICH IS AWAY
FROM POPULATED AREAS? IT IS A STRAIGHTER
SHOT FROM W.P.B. TO ORLANDO! JUST
A THOUGHT

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	William B. Dubrosky
Address	4295 NIE SUNSET DR. JENSEN BEACH, FL 34957
email	Please provide your email address if you would like to receive notification when the FEIS is available SARGJOTC@AOL.COM

Dec 1st 2014

John Winkle
Federal Railroad Admin
1200 New Jersey ave
S.E. Rm. W. 38-311
Washington, D.C. 20590

We do not need more trains passing through Stuart, Jensen Bch. 34957. What happens when EMTS have to cross the tracks, saving someones life, all these trains coming through down town Stuart, the Hospital is near, people go over those tracks alot by the thousands daily. Please consider the above and stop the trains. Half of the people here do not want these trains coming through Stuart, Jensen Bch. Vero, Pt. St. Lucie. Also the noise, horns and the shaking and cost of homes are affected. Please stop the trains. No Alaboard

Patricia B. Damiano
334 So. Seas
Jensen Bch, Fl. 34957

11/25/2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue S. E.
Room W 38-31
Washington, DC 20590

RE: All Aboard Florida railroad coming through our towns on the Treasure Coast

Dear Mr. Winkle:

This railroad is a very bad idea. Nothing good about it! I live four blocks west of the tracks and I hear the trains rumbling down the tracks in the middle of the night and all day long. I hear the loud honking signal at the crossing north of me and again south of me, and actually one further down the line.

It's not only about the noise, air pollution and disruption it's also about eroding property values. Who would want to buy my home if I chose to move away to a more pleasant neighborhood? Besides, I love my little home in Jensen Beach. I moved here from PA 25 years ago and have seen many changes in traffic but nothing like this proposed train traffic. Eighty percent of what I do in a day takes me across the tracks in our downtown and Stuart downtown. I have no objection to what exists now, nor anything against mass transit, but this is something that is being forced upon us for sheer greed. The substantial increase in train traffic is unacceptable. And, we hear about a further percentage of freight traffic to come in the next years.

The study that was done glossed over the part about quality of life and other issues important to we who live on the Treasure Coast. It was a sham, just like the meeting I attended at the Kane Center in Stuart. Although, everyone representing the railroad, including the FRA, was very polite and answered questions. it felt like a very controlled public relations event for AAF. I did write my thoughts on the comment sheet, all 3 pages of it (and no one had a staple gun to keep it together). I came away frustrated, angry and feeling like I had wasted my time. It looked like a done deal already! In fact when I bring it up to my neighbors, they take no action because they think it is a done deal and they have no say in the matter.

The double track coming through downtown Jensen Beach and Stuart, as well as others, will ruin these towns. I am shocked that the survey team could not see this. The increased commuter and freight trains will be a disaster for the businesses and maritime traffic.

Please take this train west to the CSX tracks and keep it out of our State Park (Jonathan Dickinson) and our coastal neighborhoods. Try building it along the I-95 corridor. That makes more sense. Stop the commercial creep that is encroaching on towns all across America.

I could make many more points as I have read many by thoughtful writers on the opinion pages of the Stuart News, but I am sure you have already heard them. Please, please do all you can to stop this train.

Sincerely,



**Lorraine Devereaux
1386 NE Flora Place
Jensen Beach Fl 34957
772-334-6698
raindev@bellsouth.net**

I am a 78 yr. old woman, writing to give my concern and objection to "all aboard FL" train that is proposed for this area, Jensen Beach.

As I stand by my kitchen window - I can see the present trains go by, CRX - they move quickly - very noisy, but it is gone in 15-20 mins. or less. And the number of trains is maybe 5 a day.

Now the proposed time for "AAF" is 2 trains per hour - going 110 MPH. Its a real tragedy waiting to happen.

I have read a lot about this "AAF" - no one has mentioned the school buses that have to stop - open the door, and make sure it is all clear before they proceed. A large school bus is not known for fast acceleration. If a bus started to cross and bells

started ringing - indicating a train is coming at 110 MPH - imagine the horror the children or that bus would feel, and the Bus driver, knowing the lives of the children aboard are in (his or her) hands. A school bus is NO MATCH for a train going 110 MPH.

Another concern, Emergency Vehicles, transporting a life or death situation - having to stop at the tracks, waiting for a train that is taking passengers to Disney - for a fun time - What a companion -!

If any one aboard that train would know, someone was dying in an emergency vehicle - while they were off to see "MICKEY" - and the victim - is clinging to life - if they only knew - But it would just be another tragedy of life.

I also wanted to point out, this area has a lot of Seniors - and

they vote - many of us have sent
our son's to war - have been taken
advantage of - for being O-L-O -
let us line the rest of our
lines without having to worry
about "AAF" - we may be
that person in the emergency
vehicle - waiting for the train
to pass.

Please do the right thing, let the
train run on AMTRAK lines
out west.

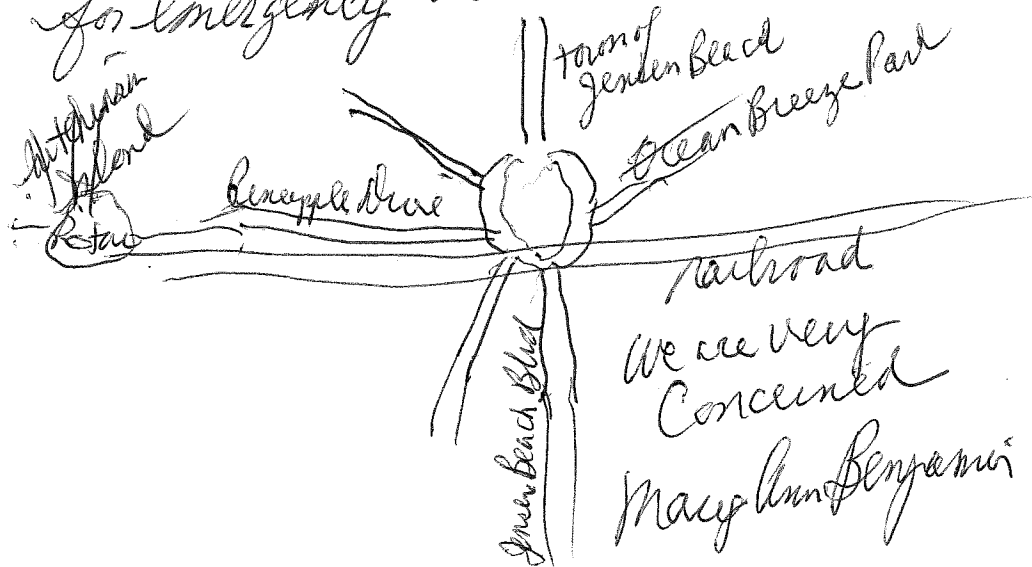
Laurel Compton
1726 NE Darlich Ave
Jensen Beach, FL 34957

3990 NE Breakwater Jensen Beach FL
Dec. 1, 2014

Problem: Intersection of Pineapple
Drive, Jensen Beach Blvd, Rotary
and Railroad in Jensen Beach Florida

Now incoming railroad cars
cause traffic to backup on Pineapple
to the Hutchinson Island crossing,
Jensen Beach town and back on
Jensen Beach Blvd.

More trains will cause constant
traffic problems, as well as concern
for emergency vehicles, ambulances.



3990 NE Breakwater Dr.
Jensen Beach FL 34957
October 7, 2014

To John Winkle
Federal Railroad Administration
1200 New Jersey Ave
SE Rm. W38-31
Washington DC 20590

Dear Sir:

There have been 2000 train wrecks - 250 fatal injuries and over 500 injuries due to horrific trains. A train speeding 35 times through the middle of a lovely town is not conducive to improving these statistics. The and ambulance trips will be delayed, as we found when we had left bridges over the river - now you want us to regress to that problem again!

Financially it will cost less for you to use old RR line, but the court cases you will be paying out will soon change that!

Please reconsider your route. It is vital to our Community.

Truly yours,

Mary Ann Benjamin R.N.

SEPTEMBER 20, 2014

JOHN WINKLE
FEDERAL RAILROAD ADMINISTRATION
1200 NEW JERSEY AVE. S.E.
ROOM - W38-31
WASHINGTON, D.C. 20590

REGARDING: NO GO- ALL ABOARD FLORIDA

IN ANSWER TO THE STUART NEWS THIS SUNDAY MORNING, I WILL COMPLY WITH MY OPINION FOR WHAT IT'S WORTH.

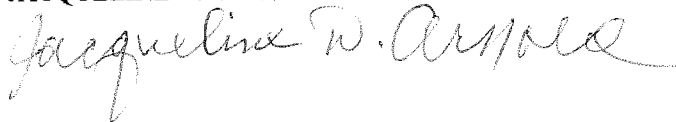
MY HUSBAND DEL AND I MOVED HERE FROM MICHIGAN, HAVING A PLACE IN JENSON BEACH, FL. FOR MANY YEARS DECIDED TO MAKE THE BIG MOVE PERMANENTLY AND ENJOY WEATHER WITHOUT SNOW. WE DID JUST THIS, UNTIL HE BECAME VERY ILL AND SUCCOMBED TO ALZHEIMERS LEAVING ME DEVASTATED. ALTHOUGH WE REALLY ENJOYED ALL THE WONDERFUL SHOPPING IN STUART ALONG FLAGLER BLVD. JUST LOOKING IN THE WINDOWS WAS INTERESTING AND GOING TO THE THEATER, WE NEVER GAVE A THOUGHT OF A TRAIN COMING THROUGH JENSEN BEACH AND STUART WHAT A DISASTER WAITING TO HAPPEN. I'VE BEEN HERE OVER 20 YEARS AND MAYBE IT'S TIME FOR ME TO MOVE BACK TO MICHIGAN BEFORE THIS HAPPENS.

I HAVE NO IDEA HOW MANY LETTERS MUST BE RECEIVED BEFORE YOU PEOPLE REALIZE THIS UNFORTUNATE SITUATION, DISREGARDING THE INTELLIGENCE OF PROPERTY OWNERS, SMALL BUSINESSES THAT SURROUND JUST THE AREA YOU HAVE CHOSEN TO ADVANCE WITH THE PLANS YOU FEEL WILL BE EXCEPTED BY EVERYONE, ONLY A COMPLETE NIGHTMARE FOR TRAFFIC LIGHTS, OUR BRIDGES OPENING AND CLOSING, ALONG WITH THE FISHERMAN THAT COME ALL THE WAY HERE TO OUR OUTSTANDING EVENTS THAT HAPPEN ALL SEASONS, STORING THEIR BOATS, USING OUR ACCOMMODATIONS HERE IN STUART, FL. AND JENSEN BEACH, FL. ONLY TO REALIZE THAT THIS NO LONGER WILL EXIST FOR THEM, OR THAT THEY DO NOT HAVE A VOICE IN THE SITUATION OR TO BE NOTIFIED TO BE HEARD AS ONLY THE PEOPLE THAT LIVE HERE DO.

I SUGGEST MOVE YOUR SUGGESTED SITUATION OVER BY I-95 WHERE THERE IS ALL KINDS OF ROOM. LEAVE STUART, FL AND JENSON BEACH, FL AS THEY ARE.

SINCERELY,

JACQUELINE D. ARNOLD A VERY CONCERNED PARTY



COPY SENT TO: CONGRESSMAN PATRICK MURPHY
18TH DISTRICT, FL.

339 71ARE

JENSON BEACH FL 34957

December 1, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, S.E. Room W38-31
Washington, D.C. 20590

Dear Mr. Winkle,

This letter is in reference to All Aboard Florida's plan to apply for Federal money to send 32 high speed trains and 50 freight trains through Stuart, Florida when the Panama Canal is completed. Many believe the loan is already a done deal and are disgusted with OUR Federal Government. It is my hope that you will take my concerns under consideration before approving a loan, if granted, and in the event of failure to repay the loan, the government must require the rail lines/property be used as loan collateral instead of equipment. Default on the loan is very likely because we all know the U.S. rail service is subsidized by the tax payers!

Although there are many concerns, my primary concern centers on the myriad of problems relative to increased freight train traffic. Please follow my logic as listed below:

1. AAF plans to double and triple the tracks through the Treasure Coast, to provide for new high speed trains and increased freight trains moving north and south.
2. The train trestle bridge over the St. Lucie Waterway is only 1 set of tracks with no AAF provision to add another set of tracks across the river. The bridge is over 100 years old, takes 20 minutes to close whose signal comes from Jacksonville. The bridge should be replaced.
3. The one set of tracks north of this bridge makes a 40 degree turn, is a serious safety concern as the train must slow down, otherwise it will leave the tracks, plow into street traffic and block the road until cleared of debris.
4. The average freight train is 1 – 1.75 miles in length while AAF's report states their freight trains will average 2.6 miles (13,728 feet) in length.
5. While waiting for a southbound freight train or faster moving high speed train to pass over the St. Lucie Waterway bridge, a northbound freight train sitting on the tracks will have to wait on the tracks south of the bridge. This 2.6 mile long freight train will block commuter traffic at all 6 major crossings in Stuart. None of this has been addressed in the AAF Impact Report. A map is enclosed for your perusal, the red dots being the crossings most affected.
6. According to my calculations, these are the times it will take for a 2.6 mile long freight train, travelling at the speeds indicated, to pass through each crossing through the Town of Stuart.
 - a) 10 mph speed (528 feet/hr) = 15.6 minutes
 - b) 15 mph speed (105,600 feet/hr) = 7.8 minutes
 - c) 20 mph speed (132,000 feet/hr) = 6.24 minutes
7. Using the above data, 50 daily freight trains will block traffic at each crossing 12.5 hours, 6.5 hours or 5.2 hours each day, respectively.
8. The daily schedule of 32 high speed and 50 freight trains passing through Stuart and how long a sitting/non-moving freight train must wait in Stuart to pass over the St. Lucie Waterway bridge is NOT addressed in the AAF Impact Statement.
9. **When a 2.6 mile long freight train waits south of the bridge or travels slowly through town, traffic at all major railroad crossings will back up but most seriously to the west to the U.S. #1 highway, the major north-south artery in Stuart. At all the major railroad crossings in Stuart, the distance between the railroad crossings and U.S. #1 is not more than 50 – 150 feet. The east-west backup across U.S. #1 will obstruct the north-south flow of traffic on this major artery as well. This information has also been omitted from the AAF Impact Report.**

According to AAF, the reason for the government loan is for the addition of the high speed rail service. However, based on all that has been omitted from the AAF Impact Report regarding how the increased freight train traffic will affect the daily lives of our citizens, I believe the loan is a smoke screen. The loan will ultimately be used to improve and add new rail lines for the increased Asian freight, scheduled to begin with the opening of the enlarged Panama Canal.

The freight train tracks need to run parallel to the I95 corridor or up through the middle of the state – not through the towns of the Treasure Coast. I realize a business is in business to make money but a big corporation should not be permitted to omit serious consequences of their actions in an Environmental Impact Statement when asking for a government loan for passenger service. In addition to making money, it's as if AAF's bottom line should also read "...and the public be damned." They need to be a good neighbor. And if they won't, it is up to you, Mr. Hinkle, and the Federal Railroad Administration to force them to be good neighbors.

It is my understanding that all public comments will be posted online. I will be looking for my comments and subsequent changes in the draft.

Sincerely,

A handwritten signature in cursive script that reads "Louise Andrews".

Louise Andrews (772.334.2584)
1397 NE Sago Drive
Jensen Beach, FL 34957-6429

October 27, 2014

Mr. John Winkle
Federal Railroad Administrator
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Winkle:

I would like to express my support for ***All Aboard Florida***. This necessary project would re-establish passenger rail service between two of the state's most congested, populated and visited areas with minimal environmental impacts while generating thousands of job and millions in economic impact.

As Florida becomes the nation's third most populous state, the increase in traffic on our highway will be significant and air quality will also be impacted as well as safety. As our population continues to grow, we must look to other transportation options. This project will remove up to **3 million** vehicles from the highways. This will make the highways safer and less congested while reduce carbon monoxide (1654 tons), nitrogen oxides (192 tons) and VOC's (59 tons) by 2030. There is not another infrastructure project that can have this type impact on the transportation system in Florida.

All Aboard Florida is a privately-funded project that will become a significant part of the regional transportation system that will prepare Florida for the future. Let's all get on board.

Sincerely,



Jeffrey M. Arey
Jacksonville, FL

Ms Carole Brown
136 Island Creek Drive
Indian River Shores, Florida
32943

Mr John Winkle
Federal Railroad Administration
1200 New Jersey Avenue S.E.
Room W38-311
Washington, D.C. 20590
December 1, 2014

Dear Mr. Winkle,

I've enclosed several "Your View" letters from "The Opinion" section of my local newspaper, the Indian River Press Journal. Please read them.

These writings point out the problems of the ABF project far more clearly than I could here.

A "wandorment," not covered particularly or strongly in the above mentioned letters is - If this is such a viable undertaking why can't ABF get commercial or private financing? The tax payer should not be held liable.

Sincerely,

Carole Brown

Barbara Tilney

Dec 5 2014

Mr John Winkle
Federal Railroad Admin. Rm W3 8-311
1200 New Jersey Ave SE
Washington, DC 20590

Dear Mr Winkle

Please add my voice to those who fervently oppose a project called All Aboard Florida. Its implementation has no beneficial effects on anyone except south Florida's (Miami area) and Orlando. The Treasure Coast area from Cocoa Beach to Palm Beach will become fractured, dividing groups from the coastal areas from those of the mainland, a fracturing detrimental to the lives of everyone in the T.C.

What is puzzling is why this area was chosen to develop into a railway hub when so much empty land lies in Central Florida and where the negative effects of constructing & operating a railway system will be minimal. Were this option not existent opposition to a system on the coast might be less in the interest of economic growth. In other words, many are suspect of the reasons for AAF; they have been revealed as selfish economic profit for a few at the expense of a diverse social and

Caenorhina population that is
interaction on both sides of Fla.
system.

How this misguided project progressed
this far is a mystery. Please oppose.

Very truly

Barbara T. Carey
5725 North ALA
Indian Shores
FL 32963-1008

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



**U.S. Department
of Transportation
Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I have reviewed the draft EIS. As a native Floridian who has always lived along and enjoyed the outdoors along the east coast of Florida, any concerns I may have had about the AAF project impacting or degrading the overall environment have been well-addressed. Except for the Cocoa-Orlando segment the project uses a rail route that will have been in place for over 120 years. The Cocoa-Orlando segment will simply widen by a small amount a highway route that has been in place for over 40 years. On a broader scale Florida has endangered lands programs that will more than compensate for the negligible loss of habitat or effects on environment by the small widening of the Beachline (528) route.

It is great to see a risk-taking private enterprise undertaking an entrepreneurial project of this magnitude that does not utilize tax funds nor anticipate a taxpayer bailout. It is my opinion that the completed project will boost both business and tourist travel in Florida. As such it will benefit communities along the line. I live in Brevard County which will not initially have a stop. But I anticipate that eventually the project will add stops by at least some of its trains in communities that initially will not have stops. The vigorous opposition by some in those communities is very short-sighted.

I also believe other concerns about crossing blockage times, noise, etc. are being properly addressed by the project. There can be no sympathy for vocal complainers who bought property close to the existing rail line. They should have understood that the nature of the usage of such corridors can change. I do have some sympathy for those in Canaveral Groves who bought property long before the project was ever conceived, and hope that their concerns can be mitigated in some way by AAF.

Overall, it is my opinion that AAF is a plus for the state of Florida and the communities it will serve both in the beginning and later, and I fully endorse the project.

If you need additional space, please attach a second sheet to this page

All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Robert Lowry
Address	3000 Purple Martin Lane Indian Lantic, FL 32903
email	Please provide your email address if you would like to receive notification when the FEIS is available rlowry98@aol.com

ruth amirthanayagam

to AAF_comments@yhb.com

cc ruth amirthanayagam

Sat, Nov 29 1:23 PM

Comments on Proposed All Aboard Florida Rail Service

Attention: John Winkle

Dear Mr. Winkle:

This comment is in connection with the Proposed All Aboard Florida Rail Service. I am a resident of Hypoluxo and formerly Lantana, Florida. Both places in which I have lived are less than two blocks from the Florida East Coast Railroad tracks. In general, I am a strong proponent of public transportation. However, I have three primary concerns about the proposed passenger rail service in this particular location.

First, Lantana is one of the towns with the highest death rates along the East Coast Railroad tracks. The tracks are very close to Dixie Highway (U.S. 1) in this area -- only 10 or 20 feet away. Currently there is only one track. Several bus stops leave people off along U.S. 1/Dixie. Shops such as K-Mart, grocery stores, restaurants, the post office, library are on the other side of the tracks. Frequently people -- young, old, with strollers, high school students, need to cross the tracks. Many of them do not cross at the crosswalks, some of which are in poor condition. They cross through the grass and over the rocks and rails. At the high speeds which All Aboard Florida proposes, the death rate will increase. With two tracks and trains crossing from opposite directions, the death rate will increase. With the greater frequency of trains, the death rate will increase. Further, there is a turn in the tracks which makes trains difficult to see.

Second, traffic at all the Lantana crossings as well as Hypoluxo Road is a problem. Third, noise is also a concern. A lot of people live close to the tracks in these towns. Both of these concerns are minor, however, compared to concern number one -- people's lives. You need to look at the Lantana area, in particular, very carefully.

Thank you for considering my comments.

Regards,


Ruth Amirthanayagam

Sent from Windows Mail

November 06, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE. Rm. W38-31
Washington, DC 20590

Re: Miami to Orlando, Florida High Speed Railroad

Dear Mr. Winkle:

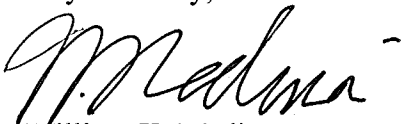
We live on North Hutchinson Island in Ft. Pierce. Our exit or entry from the island is over the North Bridge Causeway, which crosses over the Intra-Coastal Waterway. Surveys show that 7,000 vehicles-a-day cross over this drawbridge causeway during the day. Most of this traffic is impacted by having the drawbridge raised to allow boats traveling north and south that, several times a day, causes a major traffic back up sometimes up to one mile long (depending on the size and speed of the boat) from either side of the bridge to and from U S Highway one. Associated with that route is a train crossing that once again adds to traffic back up.

Now they are proposing adding extra train tracks in this area to accommodate high-speed trains going 110 MPH crossing thirty two (32) times a day! Imagine the impact this will have on the residents, not to mention emergency vehicles and delivery trucks, and real estate values! Most every homeowner north of West Palm Beach is AGAINST having this high-speed train rumbling through their peaceful little communities. The train doesn't stop in any of the towns northeast of Palm Beach.

Talk about disruption of peace and quiet in these small towns! Not to mention the 18,252 railroad crossings from Miami to Orlando. We live here because we love the small town atmosphere! There is plenty of vacant land west of the Turnpike and I-95 through which to route these high speed trains. Some tracks have to be built anyway; so why do they have to go through our towns.

This proposal is insane and dangerous. Please do not allow them to ruin our beautiful, small-town communities.

Very sincerely,

A handwritten signature in black ink, appearing to read 'W. Medina' with a stylized flourish at the end.

William K. Medina
3223 S Lakeview Cir Apt 8
Hutchinson Island
Florida, 34949

1942 Tyler Street
Hollywood, Florida
Phone 954.920.8550
Fax 954.920.8586

October 23, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I am writing this letter to express my strong support for the All Aboard Florida project. This necessary infrastructure project will improve mobility in Florida by reintroducing passenger rail along the existing Florida East Coast Railway corridor, creating thousands of jobs and generating millions in economic impacts.

All Aboard Florida is beneficial for Florida's 19 million residents and more than 95 million tourists. Florida's roads are already some of the most congested in the country, and the expansion opportunities are extremely limited. As our population continues to grow, we must look toward alternative mobility options. The Draft Environmental Impact Statement says, "The Project would have the beneficial impact of removing 335,628 auto vehicle trips per year from the regional roadway network in 2016 and 1.2 million vehicles in 2019."

There is no other infrastructure project will change Florida's landscape and economy and benefit the environment like All Aboard Florida. This intercity passenger rail system will become a new infrastructure backbone and a benefit to our state.

Very truly yours,


John Leete
Executive Vice-President
John Moriarty and Associates of Florida, Inc.

11920 S.E. Plutus Ave
Hobe Sound, FL 33455
Nov. 30, 2014

Dear Mr. Winkle,

We are home owners in the beautiful Town of Hobe Sound, Florida. We are writing to express our complete opposition to the All Aboard Florida scheme.

Our Hobe Sound neighborhood is in a C.R.A. (Community Redevelopment Area), family homes and friendly people who are proud of their well-maintained and carefully restored homes. Like so many other CRA residents in the proposed path of AAF we've poured hard work, money, and our hearts into this community and realizing the dream of home ownership.

Picture our surrounding waterways, bridges, the ocean, state and federal wildlife refuges (home to endangered animals and plants). These are places where residents and visitors experience the "real" Florida. We have local businesses, relaxed outdoor dining, bicycle trails, excellent E.M.S and schools. These are all along the AAF proposed route - trains would actually speed through

TO: Mr. John Winkle, Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

FROM: Mr Jackson Hazlewood
2002 Captains Way
Jupiter, Florida 33477

The East Coast of Florida has topography unique to the United States, and is not suited for railway expansion.

All Aboard Florida will significantly impact boaters who must cross under railway tracks and use drawbridge access to open water, as well as businesses dependent on those boaters, therefore impacting the economy, recreation and quality of life. Reports from a significant number of boaters indicate that they would no longer use these recreational areas and would not make their usual stops here.

4.1.3-C Navigational Report: Indicates a wait time of approximately 17.6 minutes of wait time for boats during train crossings at the St. Lucie River Crossing, while glossing over the actual impact of boating and boating businesses in the area, where at time several boats are stacked up waiting for trains to cross.

The study describes the impact as “minimal.” **It is difficult to believe than an additional 32 trains plus 20 freight trains plus more additional freight coming up from Miami crossing the New River would not have any impact.**

The New River bridge would be closed 6.5 hours per day: 30 times a day for an average of 13 minutes vs. 10 times a day currently for an average of 19 minutes.

The Loxahatchee River Bridge currently is used by about 20 trains a day and the bridge is down and blocking marine traffic for about 20 minutes each time. The Loxahatchee span would be closed 8.4 hours per day: 42 times a day for an average of 12 minutes vs. 10 times a day for an average of 19 minutes.

The proposed additional AAF passenger train traffic will add at least one additional bridge lowering each hour — two additional lowerings unless the northbound and southbound trains cross at the exact same time, which is unlikely. That’s 40 to 60 minutes each hour with the bridge being down, blocking all boat traffic, including emergency boats operated by the U.S. Coast Guard, the Jupiter Police, the Tequesta Police and the Florida Fish and Wildlife Conservation Commission.

Table 2.2-3 indicates 746 out of 900 Martin County’s river marinas are affected by rail traffic, clearly showing the detriment of increased trains. The EIS indicates that the marine industry for the St. Lucie River was \$523.7 million in December 2013. The EIS state St. Lucie River has 1,307 slips; over half are commercial. Delayed boating will definitely impact these businesses and the economy. I refer to the EIS informational table:

The draft continues to misrepresent: "The St. Lucie River represents approximately 82.9% of the marine activity in Martin County and 15.3% in St. Lucie County. Because the economic activity associated with the St. Lucie River is located in both Martin and St. Lucie Counties, the total economic value of this river is equivalent to 82.9% of the economic value of the marine industry in Martin County plus 15.3% of the economic value of the marine industry in St. Lucie County, resulting in a total economic value of \$648.8 million. This total value is comprised of \$481.3 million in direct expenditures, \$79.4 million in indirect effects, and \$88.1 million in indirect effects. This activity supports a total of 6,420 jobs and \$186.6 million in personal income (see Table 5.2-9)."

The EIS does not address the time trains might stand in queue waiting for the drawbridges to open and close and how these standing trains might further impact railway crossings while they block these crossings during their wait, further impacting all of the above problems caused by increased train traffic.

Sincerely,

Mr Jackson Hazlewood

A handwritten signature in black ink, appearing to read "Jackson Hazlewood", written in a cursive style.

Donna Dickerson
959 Pompano Drive
Jupiter, FL 33458
September 22, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I am writing in regards to the DEIS for All Aboard Florida. I wish to point out the data used for vessel traffic at the Loxahatchee Railroad drawbridge is seriously flawed and request that further studies be required using valid data.

First of all the assumption that "winter" is the peak season for boating traffic is incorrect. Vessels traversing through the Loxahatchee railroad bridge are mainly owned and operated by full time Florida residents who are boating for pleasure. The Jupiter Inlet District (**Jupiter Inlet District**, 400 N. Delaware Blvd. Jupiter, FL 33458 (561) 746-2223 (561) 744-2440 Fax) has an ongoing study of boat traffic, the data from which that I am sure will be provided to you. Pleasure boating is weather dependent. When the winds and seas are high the boating volume is less. The weather conditions during the survey period of Dec. 31, 2013 to January 21, 2014 were some of the worst of the season.

The sampling periods used for vessel traffic at all three movable bridges in this study are highly irregular, "2-3" weeks. Why not a set number of days or weeks? The use of this variable sample period indicates that possibility of data manipulation.

This DEIS discusses vessel queues for these bridges. The waterways are not roadways. Roadways have turn lanes for vessels to queue, waterways do not. I have personal experience boating through the Loxahatchee bridge on our personal vessel. This bridge is located at the intersection of the Loxahatchee River and the Intracoastal waterway. The current under this bridge can be extremely strong especially at mid tide. The bridge is adjacent to the A1A highway bridge. Westbound vessels must wait east of the A1A bridge where there is considerable boat traffic traversing the Intracoastal waterway. In addition, further to the east is the US 1 drawbridge which at times also has boats waiting. My husband is an experienced licensed boat captain and a very good boat pilot. However many boaters are not as experienced, waiting for the railroad bridge to be raised can be a frightening experience as boats of all sizes with captains of various abilities maneuver in place with tides and traffic.

There is also no traffic light for the boaters. Once the railroad bridge is raised it solely the responsibility of the boaters to be proceed safely through the bridge. I have witnessed many near collisions as boater fighting the current and often lacking patience traverse through this bridge.

Mr. John Winkle
September 22, 2014
Page 2

A significant increase in bridge closures during the day at this location is a disaster in the making. I am requesting that more data be collected and analyzed at all of the movable bridges covered by this DEIS.

Thank you for your consideration.

Sincerely,



Donna Dickerson

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I VOTE NO to ALL Aboard FL

I live in the rural tier of Jupiter and work all the way east on A1A. My travel time is already affected by the railroad and the Intra Coastal Bridge. I understand these as a fact of life & working east. However, there is NO need for additional delays caused by adding trains with ALL Aboard FL. In season the traffic is horrendous. We stop for a train and can be backed up 20 or 30 cars.

please NO additional trains.

Thank you for listening
Mary Lopez

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Mary Copus.
Address	11670 152nd Street N Jupiter FL 33478
email	Please provide your email address if you would like to receive notification when the FEIS is available

November 29, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE
Room W38-311
Washington, D.C. 20590

Dear Mr. Winkle

In Jupiter it's a pretty drive south on Alt. A1A from Indiantown Road. The landscaping in front of the many communities, the trees and plants in the median, the trees and bushes by the train track. It won't be pretty if three more tracks are added. And many of us worry that we won't be able to get to the hospital fast enough if we have a stroke.

Please put your new tracks out west.

Sincerely

A handwritten signature in cursive script that reads "Donna M. Cohen".

Donna M. Cohen
16940 Bay Street, 206N
Jupiter, FL 333477

November 21, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle

I live in Jupiter, FL. The day before yesterday at 1 p.m. Indiantown Rd. was congested from before Military Trail to Alt. A1A, where I live. Yesterday at 2 p.m. North Lake Blvd. was congested from before Costco to Alt. A1A. I can't imagine what it would be like with an additional 32 trains. And that's not including more freight trains.

Last weekend we drove to the west coast. We saw no trains on the track. There is plenty of land to build more tracks and very few people that would be inconvenienced. There is little room by our track, many would be inconvenienced and we would lose all the trees that are on either side of the track.

I also strongly oppose the government financing a private company. Haven't we learned anything from Solyndra or Fisker?

Please, please do not approve All Aboard Florida.

Sincerely

A handwritten signature in black ink that reads "Donna M. Cohen". The signature is written in a cursive, flowing style.

Donna M. Cohen
16940 Bay St. 206N
Jupiter FL 33477

November 25, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE
Washington, DC 20950

Dear Mr. Winkle:

I live in Jensen Beach in Martin County on Florida's Treasure Coast. I am adamantly opposed to All Aboard Florida (AAF). It will reduce my quality of life. I came here from Northern Virginia to live out my retirement years in a quiet, low stress area. Now I'm starting to regret that decision. I see AAF as a serious detriment to my future quality of life and to my golden years. My opinions on key issues follow.

1. **Biased Draft Environmental Impact Study.** The study was commissioned by the leaders of AAF. It does not fairly represent the effects of AAF on the Treasure Coast. I believe the study would have been more realistic, and would have had better mitigation plans, if it had been done by an objective and independent party with no direct ties to AAF.
2. **AAF leadership integrity?** They say they're not aware of issues raised by Martin County residents re: AAF's request for permission to float private activity bonds. How can that be true when more than 38,000 Treasure Coast residents signed a petition against AAF's plans, and the FRA held a meeting in Stuart attended by more than 500 people who expressed their opinions and objections to the project?
3. **Overstated passenger traffic estimates.** There are cheaper and more desirable ways to travel between South Florida and Orlando, ways that will become even more competitive if AAF is completed. Thus, AAF revenue projections should be questioned. Federal funds should not be loaned or supplied in any form to this project. *Taxpayers should not be put in the position of subsidizing AAF in the future.*
4. **Single track Stuart railway bridge.** The bridge must be raised to allow east-west boat traffic on the St. Lucie River. Additional trains (both passenger and freight) will cause boats to be stopped for longer periods of time. This will harm our commercial and recreational interests. AAF's plan is to let this 100-year old bridge remain single tracked, and to create staging areas to handle the queue of backed-up trains.
5. **Staging trains in Stuart is a bad idea.** Proposed staging areas appear to be mini railway yards with constant commotion, activity, and additional noise. The northern staging area is near population; the southern is near wildlife. AAF's solution does not satisfactorily mitigate these negative impacts.
6. **Downtown Stuart business will suffer & traffic will worsen.** The City of Stuart has an historic and quaint downtown. AAF tracks run through a busy intersection called Confusion Corner, so named due to a convergence of 4 roads in the busy downtown and the confusion this poses to drivers and pedestrians. Adding trains (passenger and freight) will exacerbate the confusion, especially when our population swells during the winter season. This will make the historic downtown less desirable to visit and could threaten the viability of many small businesses. AAF should move trains west toward central Florida where tracks already exist, where population density is far less, and where businesses will not suffer. AAF is not planning passenger stations from West Palm Beach to Orlando, so they would not be losing passengers by using a western route.
7. **Downtown Jensen Beach will suffer.** Jensen Beach also has a quaint and historic downtown, smaller than Stuart. The commercial downtown is one block long with a traffic rotary at the end crossed by AAF tracks. It's painful to

imagine high speed passenger and additional freight trains barreling through our tiny town, not to mention the resultant safety issues. Train noise and vibration in such a close and confined area will be devastating to downtown businesses. Shops, restaurants, the bank, hotel, and numerous arts and crafts boutiques will all be severely impacted. Patrons are sure to dwindle and profits destined to fall. Customers will not tolerate the disruptive effects of the trains barreling through, and they will take their business elsewhere.

8. **Pedestrian & wildlife safety.** AAF tracks in Martin County pass through some densely populated and wildlife protected areas. The corridors are not contained for the most part. The speed of AAF passenger trains is proposed to approach 110 mph. This means that pedestrians crossing the corridor--and wildlife in the corridor--will have much a greater risk of injury than with freight trains travelling at 60 mph. The AAF plan does not satisfactorily mitigate this risk.
9. **Substantial increase in train noise & vibration.** Currently I hear freight trains passing within 3-4 miles of my home at all times of the day and night. Horns blare, and the machinery creates a rumbling noise with vibrations. Thirty-two passenger trains daily, travelling up to 110 mph, will increase these health stressors. Directional horns may mitigate some noise to my ears, but what about the noises and vibrations emanated by train machinery? Noise and vibration technologies are not being used effectively in the AAF plan, in my opinion.
10. **Crossing delays can be life-or-death situations.** AAF's tracks run north and south here. This effectively stops east and west travel when trains are present at crossings. Emergency personnel are prevented from travelling east and west when trains are present. Fire Rescue personnel say that 'seconds count' in most emergency situations. Additional passenger (and freight) trains will impede their progress in reaching hospitals, fires, and other life-threatening incidents. Fast passenger trains can reduce crossing down times, but backed-up trains from staging areas that follow in each other's footsteps *will increase crossing congestion and down times*. AAF's plan to schedule trains from staging areas will lead to extended delays at crossings. This is not a solution that we should have to accept.

Sincerely,



Susan White
2021 NW Windemere Dr
Jensen Beach, FL 34957

7 Nov 2014

To John Wink/e
Federal Railroad Admin.

Re: All Aboard Florida

Dear Sir

As a resident of the Treasure Coast (Jensen Beach), I would like to express my opposition to the proposed high-speed multi-trip (32x/day) rail system under review. The traffic, safety, navigation and noise factors inherent in this proposal are self evident. The economic devastation to the Small Towns (Hobe, Stuart, Jensen Beach Vero + Cocoa Beach) to enrich the private rail owners + Orlando + Palm Beach areas will not go unrecognized. I would hope the FRA will call this proposal what it is i.e. totally inappropriate, dangerous, and destructive to many lives despite the wealth behind the proposal.

Sincerely
Foster E. White III

Mr. and Mrs. Robert L. Taylor
40 NE Alice Street
Jensen Beach, FL 34957
November 26, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, S.E., Room W38-31
Washington, D.C. 20590
AAF_comments@vhb.com

Re: Draft Environmental Impact Statement
All Aboard Florida Project
Please include this as part of public comment

Dear Mr. Winkle:

We are residents of the Rio neighborhood Jensen Beach, Florida. We oppose Phase II of the All aboard Florida project for all of the reasons set forth in the November 20, 2014 letter from Ms. Weiss, president of the Rio Civic Club.


However, should the project be approved, we have another, critical concern, and that is the location of a "siding" to "hold" freight trains while All Aboard trains cross the single track bridge over the St Lucie River at Stuart. There is discussion for locating this siding north of the river in the Rio area.

According to Rio Civic Club research cited, the average freight train is 8,150 feet long (about 1 ½ miles). Going north from the river, there are three crossings within 1 ½ miles. The first, Fern Road, is the only ingress and egress for the hundreds of residents in the Harborage condominium development. Their access to the other two crossings further north in the 1 1/2 mile stretch is cut off by a permanent gate. Going north from that gate is where the Rio community starts with its 1,200 households, including ourselves. Our only emergency ingress and egress is the other two crossings within that 1 ½ mile distance: Wright Boulevard and Dixie Highway. They could both be blocked if the siding is put immediately north of the river. We could only get to a hospital or emergency facility via circuitous routes adding perhaps fifteen vital minutes or more. The same applies to fire and rescue vehicles.

On the other hand, from the Dixie highway crossing to the Jensen Beach town crossing is about two miles with no interim crossings, enough to "hold" a freight train with no crossing obstruction. Locating a siding here, or a more rural area north, would solve this problem critical to the residents of Rio, very possibly saving property in the event of a fire and lives in a health emergency. The above concern is compounded in the event freight traffic increases as many portend with better port access for larger ships. At the least, future freight trains should be precluded from access to the All Aboard tracks.

Thank you for your consideration.

Very truly yours,


Mr. and Mrs. Robert L. Taylor

DONNA TAGLIARENI
132 N.W. Broken Oak Trail
Jensen Beach, FL 34957

November 23, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE - Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

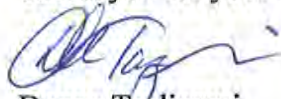
On behalf of the people who live on the Treasure Coast, please read this letter with the knowledge that you hold the lives of thousands of individuals in your hands not only today, but every day for decades to come.

Big train. Big business. Big problems. Big lies. We know what the Big issues are which the Big bullies refuse to acknowledge; among others: degraded crossings, unsealed corridors, increased possibility of train derailments at higher speeds, greater amounts combustible fuels traveling through the middle of small towns, excessive train noise and vibrations, longer trains as Big train moves to more commercial operations as they are already preparing to do, environmental impacts, loss of property values, and the list goes on.

If AAF would move their trains to their western corridor tracks, all or most of the above concerns could be eliminated. Admittedly, it may cost them a bit more money up front, which even they know they will make back; but how does that compare to the other cost...the personal cost...the cost of safety....the daily cost of life.

Imagine being in an ambulance on your way to the hospital knowing that you are in a life and death situation, then getting to the railroad crossing and finding that you cannot cross the tracks, that you are going to die, because the 18th train of the day is going to Orlando or delivering aggregate to some northeastern city. What ignominy to have one's death rattle drowned out by the sound of rattling train tracks. It is about all of the big things; but, more importantly, it is about each and every personal thing. What AAF is planning is incomprehensible, reprehensible and unconscionable.

Thank you for your consideration,



Donna Tagliareni

9/20/64

Dear Mr. Wenkle,

My family is against
"all aboard RF". We have
to cross the RA tracks to
get the hospital! Stop the
Plan.

B. Swissh

355 SKYLINE

JENSEN BEACH FL 34957

ALL ABOARD FLORIDA
OR

The Cold Enema

THE TREASURE COAST? What's in a name?
Our magic land, you folks disdain
You want to kill it with your trains
A pox on you, for shame for shame
In 1895 you came
The railroad had a different name*

The floor boards creak, the walls do moan
Another train invades our homes
Metallic shriek and belching tear
The East Coast Monsters rent our air
Look out birds and turtles too
These dollar bandits ex tinct you

What happens when our wiring crimps
Enough to cause some fires
When hubby has a heart attack
Quick help response is dire
Now get this, Grannie's had a stroke
She is in white hot pain
But thanks to you, her brain got boffed
While waiting on the train

GREED DESTRUCTION NO RESPECT
NOISE POLLUTION, what the heck
Metro Rail is prime crime zone
New Flagler's mess will spoil OUR homes
Guess what, Jimmy Carter?
You're still at number one
Now every day we'll praise you
For the bang up job you've done (Panama Canal)

The trade winds and the season blow
The seas enshape our coastline so
The star tracks pull, red giants die
The Gulf Stream northbound passes by
Swept up in Earth's great magic show
Some vestige of lost peace may hold
In gibbous moons of autumn's glow
In starlight streams from long ago
In Coriolis forces flow
Our pain and loss will live and grow.

*Jacksonville, St. Augustine and Indian River Railway Co. became
Florida East Coast Railway Co., Fall 1895

Fenn Morse Starratt, November 4, 2014
P.O. Box 253
Jensen Beach, Fl. 34958

October 19, 2014

Mr. John Winkle
FEDERAL RAILROAD ADMINISTRATION
1200 New Jersey Avenue, S.E.
Room W38-31
Washington, D.C. 20590

Dear Mr. Winkle

My wife and I have big concerns about All Aboard Florida. We can't imagine why there is a need to have 32 trains racing thru our small town of Jensen Beach each day at high speeds, without any of them making a stop in our area that would offer us that service.

During the Winter Season, our Highways and our Rivers are crowded with autos and boats. It's bad enough that the freight trains currently running thru our area create traffic back ups for both cars and boats. Thirty two additional trains each day would also affect Emergency vehicles getting to their destinations quickly.

Increased noise, falling property values, and increased bridge and rail crossing maintenance would also be a big concern.

It also scares us that they are asking for over a Billion dollars in government loans.

We think the plan as it is right now, would be a terrible plan and a good chance that our government (us) would lose money when it fails.

We would hope that your organization would deem this plan "Unworkable".

Sincerely,



JACK and BARBARA SOPHER
773 NETTLES BOULEVARD
JENSEN BEACH, FLORIDA 34957
772-229-3762
772-229-8045 - Fax
idsopher@aol.com

Oct. 12, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E. Room
W 38-31
Washington, DC 20590

Dear Sir,

This letter is being written to inform you that my husband and I are definitely against the All Aboard Florida proposal because of the delay in getting him to the hospital in the event an ambulance must transport him there. His condition is critical & I am his sole caregiver. Please do not let All Aboard Florida become a reality.

Mrs. Shirley Seggebruch
904 N.W. Water Lily Pl.
Jensen Beach, FL 34957

P. SAWUSCH
3555 Skyline
Jensen Beach, FL

John Winkle
Federal R.R. Admin
1200 New Jersey Ave S.E.
Room W38-31
WASHINGTON, DC
20590

9/23/14

Dear Mr Winkle:

Regarding The Railroad Report

I am opposed to the increase:

6 horns at 3 or 4 AM before & after gate
at Jensen Beach BLVD.

Noise, Vibration, Safety concerns, negative
affect on property values.

No value to us unless it stops on treasure
coast.

What to do?

Choose location west of city

Regards,

P. SAWUSCH

Nov. 20, 2014

Mr. John Winkle,

I am writing today to relay my concerns about the expansion of the FEC Railroad "service" in our community. My wife and I moved to Jensen Beach, Fla. 5 years ago, thinking we had found the perfect town for retirement. We of course knew the railroad tracks ran thru the downtown only blocks from our newly purchased home. We could ignore the many nightly train whistles, and traffic backups during the day are tolerable except during the season (we are a boating, fishing, and beach town) when it causes problems for ambulances, etc.

It has come to our attention that a hedge fund (Fortress) now owns the FEC RR and plans a very extensive increase in railroad traffic in the future. We of course are not to receive any benefit from this, and we are expected to pay for any upgrades to the crossing. If ever an injustice cried out for government help, I feel this is it. Most towns from West Palm Beach to Cocoa Beach will be subjected to this expansion. Currently there are CR & RR tracks west of these towns that are better suited to handle this traffic.

Help us stop this travesty please.

Sincerely yours,
Thomas C. Sanders
TCS

To. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E.
Washington, D.C. 20590

Re. Comments on DEIS for Phase 2 of AAF project due December 3rd, 2014

I am not going to comment on all the promises made by AAF on crossings, noise, vibration, water quality, etc. I am also not going to comment on the theory concerning times of bridge openings, closings, and making tracks straighter. I just want to comment on two simple facts that I hope will be checked out. Number one, Can the trip from Orlando to Miami be made, day in and day out, in 3 hours or less, and number two, if not, will fewer round trips bring in less revenue to support the project.

Here are some simple facts on times and miles published in the Stuart News: approximately 75 miles from Miami to West Palm and approximately 100 miles from Orlando to Fort Pierce. That leaves about 60 miles from Fort Pierce to West Palm Beach. Highest speeds of 60 MPH between Miami and West Palm Beach with stops at Miami, Fort Lauderdale, and West Palm should take at least 75 minutes, 100 miles between Orlando and Fort Pierce should take at least 60 minutes. That leaves about 45 minutes to travel 60 miles between Fort Pierce and West Palm Beach. Freight trains, with track improvements, could travel 37 MPH thru Martin county and 35.55 MPH through Saint Lucie county. Almost 2 hours for 20 freight trains per day by 2016. Double the speed for AAF, think about safety, would mean about 60 minutes to travel between Fort Pierce and West Palm Beach. That is a total of 3 1/4 hours to make a proposed trip in less than 3 hours. Even in a perfect world this can't be done, day in and day out, with 52 trips per day. I figure, at most, 4-6 round trips safely, per day. Hence, the revenue problem. No lender should even consider this Federally backed loan, and I would hope that no Federal Agency would consider a guarantee for said loan. Miami to West Palm, with it's dense population might make some sense, but not the West Palm to Orlando piece.

Respectively submitted,

Guido P. Ottaviani
Guido P. Ottaviani
3316 N.E. Holly Creek Drive
Jensen Beach, Florida 34957



LINDA NUGENT

4309 NW Royal Oak Drive
Jensen Beach
Florida 34957

October 7, 2014

Mr. Winkle

Federal Railroad Administration

1200 New Jersey Avenue, S.E.

ROOM W-38-311

Washington D.C. 20590

Re: Environmental Impact Study Draft- All Aboard Florida- Orlando to W.P.B.

Dear Sir,

I would like to start by saying how outraged I am about the time allowed to respond about a project of this magnitude. A major portion of the taxpayers are not here until after the holidays, something we are sure AAF is counting on.

I purchased a house lot along the Indian River some 12 Years ago.

I have paid over \$20,000 in taxes to keep this property. It is about 600 feet from the railroad tracks. In a lovely sub-division. A year an a half ago the market started to come back from the crash of 2008. A lot sold for \$104,000. So last year I decided to clear and put my lot on the market, it has a water view the lot that sold did not. So I felt asking \$100,000

was reasonable. Last March when the News of ALL Aboard Florida hit the papers other owner's in the sub-division panicked and sold lots one for \$74,000 the next \$60,000, neither had water views. So I lowered The price to \$79,900 and received an offer in April. The potential buyer withdrew their offer when they found out about the trains. Recently I hired a Broker who informed me to disclose the possibility of the increase train traffic. We have had no inquires for the property for months.

There are also homes in there that worth \$600,000 before the crash, they are lucky to get half of their value now. We do not need this fictional impact study to know what this had done to our property values.

They are exceeding what the use of these tracks were meant for a 100 years ago. Let them go out west!!!

Sincerely ,

Linda Nugent
Linda Nugent

Sent certified mail: 7014-1200-0000-5148-6997

LEE NOONAN
1212 NE 14th Court, #M-3
Jensen Beach, FL 34957
917-656-5523

November 29, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
SE Room W38-311
Washington, DC 20590

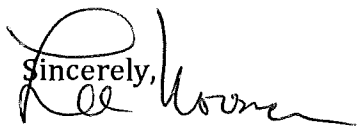
Dear Mr. Winkle:

All Aboard Florida's (AAF) proposal to provide intercity passenger rail service between Miami and Orlando **will be a disaster to the Treasure Coast**. Indeed, the Draft Environmental Impact Statement (DEIS) is presented in a way slanted to accommodate the interests of Disney World and the large cities of Miami, Fort Lauderdale and Orlando. Their **possible** economic boon would **absolutely** be at the expense of some of Florida's most important ecosystems, highly regarded beach/tourist destinations, property values and quality of life for millions of citizens on the Treasure Coast.

Most Florida state legislators oppose AAF. It is being kept alive by a governor with interest in currying favor with big business at the expense of his poorer and minority citizens. The DEIS—as currently slanted—is a tool being used by the governor and his fellows who refuse to listen to the multitude of reasons why AAF is **WRONG** for the people of Florida.

- 1) THE TRAINS WON'T STOP AT ANY LOCATIONS ON THE TREASURE COAST.
- 2) THE ENVIRONMENTAL IMPACT WILL AFFECT BOTH NATURE AND PEOPLE ADVERSELY.
- 3) PUBLIC HEALTH AND SAFETY WILL BE COMPROMISED BY LONG TRAFFIC LINES AS 32 PASSENGER TRAINS PLUS ADDITIONAL FREIGHT TRAINS CLOSE LOCAL ROADS.
- 4) THE LOCAL MARINE INDUSTRY WILL BE CRIPPLED DUE TO ANCIENT RAILROAD BRIDGES UNABLE TO ACCOMMODATE BOTH ADDITIONAL RAIL TRAFFIC AND THE NEED OF BOATS TO GET TO THE OPEN SEA.
- 5) THE LOCAL ECONOMY IN GENERAL WILL BE NEGATIVELY IMPACTED DUE TO ROAD CLOSURES WHILE TOO FREQUENT TRAINS PASS.

The proposed AAF needs to be defeated immediately and proper balance considered that includes ALL of the citizens of Florida, not just the selfish interests of a few.

Sincerely,

Lee Noonan

Dec 2, 2014

Intersection in Jensen Beach of Jensen
Beach Blvd. Pineapple Rd. Ocean Breeze Rd.
Rd to Plaza, and Railroad

Nightmare.

Accident waiting to Happen !!!

Sept. 20, 2014

Dear Mr. Windle,

I am sure you have heard all of the reasons residents of Florida's Treasure Coast object to All Aboard Florida and we can only say, we hope the Federal Railroad Administration will support our concerns and objections. We have a deep fear that AAF will have a negative effect on our way of life, while offering nothing positive to us. Please help us stop this program before it is too late.

Sincerely,

Mr. & Mrs. John E. Napier
1532 NE Outrigger Landings Dr.
Jensen Beach, FL 34957-6506



9/22/14

Dear Sir,

I am writing in opposition
of All aboard Florida.

It will damage the way
of living on the Treasure Coast &
lose in Jensen Beach and it
will cut off our emergency services.
Especially to senior citizens who
depend on the services.

Why would they have to
have 16 trips a day one way
making 32 trips a day.

Please Court me as
completely against this plan.

Thank you,

May M. McHugh
12 Keyline Dr.

Jensen Beach, FL.
34957

September 21,2014

Mr. John Winkle

Federal Railroad Administration

1200 New Jersey Ave

S .E. Room W38-31,

Washington ,DC 20590

Subject: Miami to Orlando Passenger rail Service.

Dear Mr. Winkle,

Our country has been wedded to the automobile for 100 years and the habit is difficult to break, however, slowly but surely economics and overcrowding will eventually change our notion of having to drive the automobile everywhere.

I have witnessed our loss of trains and light rail over my lifetime to the automobile, and it is now apparent that every major and not so major city in America has an automobile traffic problem.

When the first rail lines were brought to Florida, rail was the most efficient mode of travel , but unfortunately the trains in America lost out to the automobile and now we are finally beginning to see the need for trains again.

The trouble with adding the proposed high speed rail to the existing tracks is that the use of the existing track will exacerbate our growing traffic problem mightily, let alone add noise and unwanted disruption to bedroom communities . The proposed train will do nothing to help our communities commute to other cities as well.

Page 2.

I firmly believe the proposed system should not be allowed to use the existing grades and tracks and if a system of high speed rail is to connect Orlando to Miami then it should be on a properly designed and well thought out route away from automobile traffic and neighborhoods that will be affected by the present plan.

I have travelled extensively on trains across this country, in my youth and throughout Europe today. Europe as you know has every form of rail service available and it is planned well and separates rail from traffic in their high speed routes.

We should only allow high speed and inner city rail to be brought to us if it meets these concerns fully.

I respectfully request that you not allow this proposal any funding or your approval to move ahead with the plan to use our existing tracks.

Thank you for your consideration.

Sincerely,



Eric Magelssen

4636 NW Wandering Oak G
Jensen Beach FL 34957

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E. Room W38-311
Washington D.C. 20590

11/18/14

Subject: The Greatest Threat to the Quality of Life in Martin County, Florida

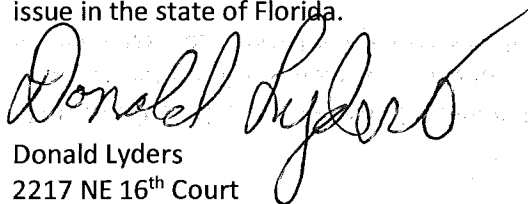
I am writing this letter to you as a concerned citizen of Martin County, Florida searching for help in regard to what I perceive as the greatest threat to our quality of life in Martin County Florida which is the plan being implemented by **All Aboard Florida's high-speed passenger rail service**. I have read their environmental impact statement. This document is not adequate and incomplete leaving out most of the critical information for determining impacts (especially noise and navigational). The document is also incomplete in defining the mitigation efforts that will be performed **AAF**, they are very vague in the impact statement.

I am not against private enterprise and do not believe the government should interfere with private enterprise but I do believe the government has a responsibility to protect our citizens. **AAF's proposed plan** does not include efforts to reduce or mitigate excessive noise similar as what is being incorporated along the interstate highway systems. When the railroad was built the population of the area is not what it is today. For **AAF** to expand its business without having to mitigate the damage it will cause to property values along the Treasure Coast of Florida (Approx. 137 miles of heavily populated areas) does not represent a business plan which addresses the true environmental impact to communities along the Treasure Coast of Florida. I believe that as a bare minimum the **AAF railroad expansion plans** should include the installation of a sound dampening system (designed for trains) for the entire Treasure Coast of Florida. The simple system would mitigate the noise problem along with providing additional safety measures needed to operate a high speed train within densely populated areas.

In addition Martin County of Florida is a very popular marine center with both commercial and personal navigational needs. Again I do not believe government should interfere with private enterprise business plans but why does the railroad have priority over navigational business. **AAF's plans** for the St. Lucie **railroad bridge are not compatible with Martin County's marine businesses**. IF AAF is not going to replace the existing bridge designed more than 50 years ago with a design that is compatible with future needs, then I believe the opening and closing of the existing bridge be regulated so that it is open at least 40% of each hour of the day supporting the marine industry in our area.

I hope you listening to the citizens of Martin County Florida including our local county government and address **AAF** railroad business plans for expansion of its business in a manner which incorporate modern High speed railroad designs into an ancient railroad platform.

Thank you for reading this letter. I hope you will take the appropriate actions for such a controversial issue in the state of Florida.



Donald Lyders
2217 NE 16th Court
Jensen Beach, Florida 34957

November 26, 2014

John Winkle
Federal Railroad Administration
1200 New Jersey Ave. S.E.
Room W38-31
Washington, D.C. 20590

Mr. Winkle,

I want to register my opposition to the planned increase in rail traffic through small, east coast towns like Stuart and Port St. Lucie with the proposed All Aboard Florida initiative. This project will provide no benefits whatsoever to the residents of the towns along the proposed route between Orlando and Miami while impacting these communities with additional traffic congestion, noise and air pollution.

I've lived in Jensen Beach for just over one year and am sometimes awakened during the night by the sound of the train as it travels along the route between Orlando and Miami. I'm being told that the All Aboard Florida rail line will eventually increase the number of times the train travels along this route to forty-six times each day. Once a day is inconvenient for everyone living along this route; forty-six times each day through our communities is incomprehensible.

There is simply no justification for the inconvenience the residents living along this rail line will endure because the owners of the railroad want to make a quick buck. I don't believe the claims by the proponents of the All Aboard Florida initiative that the expanded rail service proposed between Orlando and Miami will decrease the number of automobiles on the expressway, increase the number of jobs available along the route or enhance the Florida economy.

We live in a democracy and the citizens of the communities along the proposed route of the All Aboard Florida rail line should be able to determine whether this project is continued, especially if it is viewed as a detriment to our communities.

There are alternative routes through central Florida that would be far less detrimental to the daily lives of the residents living in and around nearby communities, and these are the routes that should be considered instead of the East Coast Rail line that runs through the congested corridor along US 1. The proposed expanded rail service along the Florida East Coast rail line will only add to the congestion along US 1. Any person or institution that claims otherwise is being untruthful.

The Federal Railroad Administration should adhere to the decision of the majority of the community residents who will be impacted adversely by the All Aboard Florida project instead of the big business owners who will profit from our distress.

Sincerely,



Richard Kincy
522 NW Windflower Terrace
Jensen Beach, FL 34957

protected lands. How will 32 daily noisy, vibrating, high-speed trains support our childrens' learning environment without elementary school and early childhood education center 1 block from the tracks? How will numerous school bus crossings over at-grade RR crossings support their safety?

These are just a few of the real concerns not addressed in the recent flawed and incomplete DEIS. Throughout the difficult process of trying to learn about the very inaccessible AAF scheme their frequent answer to concerned citizens has been, "We'll see," now followed by "mitigation"-with no details.

Please help us protect the quality of life in this precious place we call home. Please call for a new DEIS - one that is accurate, honest, and complete. Please issue no permits on the basis of the current flawed DEIS. We ask that you commit no money/loan/grants nor risk our hard-earned tax dollars on FAA with their ridiculous ridership claims (9,000 daily?!?)

Thank you for taking these matters into consideration. We deeply oppose the AAF scheme,
Laurel Wright + Daniel Yamanthano

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

November 17th 2014

Dear Mr. Winkle,

I am writing in relation to the proposed Florida railroad project All Aboard Florida that I understand the F.R.A. has approved. I represent Marina Mile Yachting Center ("MMYC"), one of the many marine facility service centers to the west of the FEC bascule bridge in Fort Lauderdale Florida which AFF intends to use.

MMYC is a hybrid full service shipyard and marina located on the New River just west of the CSX / FDOT railroad track on the southern end of the bascule bridge. The yacht basin and graving dock at MMYC can accommodate work simultaneously on up to 12 large yachts over 100 feet and 12 others of medium size. MMYC has eight resident marine trade contractors and over 200 registered contractors on our insurance logs. MMYC and its on-site contractors employ approximately 40 employees in varying marine skill sets, including painters, mechanics, electricians, carpenters, AC technicians, yard administrators and operations staff. Together with on-site technicians, outside contractors and vessel crew, the working economy of the yard fluctuates between 75 – 125 heads in daily operations.

Increasing FEC bridge closings on the current FEC bascule bridge adjacent MMYC will certainly pose safety concerns with boat owners, yacht captains and tug boat companies on a river that already has its navigation challenges. Increasing wait times for vessels will cause vessel congestion that will add further challenges particularly when the tide is flooding and ebbing. These safety concerns and the increased wait times could lead boat owners and captains in the local Broward market to seek other repair and refit options to the south in the cities of Dania Beach and Miami or to the north up toward and including Palm Beach.

Florida has limited facilities like MMYC that can accommodate refit and repair of vessels over 100' in length with dry docking capabilities. The impact of the increased FEC bridge closings on the larger yachts, generally internationally registered, may drive the work to other states or the ever expanding shipyards in the Bahamas, Caribbean and elsewhere.

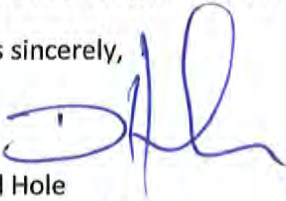
MMYC shares a property line that borders the Florida Department of Transport ("FDOT") right-of-way which accommodates the CSX rail line and the elevated Amtrak rail line. MMYC can state factually that the bascule bridge closings on the CSX track do provide increased risk to vessel safety at periods of closing. The elevated Amtrak line, by contrast, poses no disruptions to increasing marine traffic. The current level freight traffic on the CSX track at the New River bascule bridge has been tolerable to

mariners in the past. However, if freight traffic should increase on the CSX and FEC tracks, the increased congestion on the New River will quickly have negative consequences for the New River marine industries to the west of the bascule bridge.

MMYC believes strongly that the best solution for increased rail traffic over the New River at Fort Lauderdale would be an elevated bridge around 50' in height with opening capacity so as to not limit air draft to marine service centers in bound. This would surely reduce the financial impact to the marine industry in Broward County and Fort Lauderdale and most certainly reduce the incidence of vessel accidents likely to occur if railroad bridge closings on the New River should significantly increase.

Two parallel and adjacent bridges should be considered as the solution over the New River at Fort Lauderdale, one for the Amtrak elevated line and one for the new freight projection. This would certainly be one of the best compromises for the interests of railroad companies, mariners, business owners and the general public

Yours sincerely,



David Hole
General Manager
Marina Mile Yachting Center

**AARON J. GOROVITZ
2006 WAYHAVEN CT.
MAITLAND, FL 32751**

October 2, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

I would like to express my strong support for All Aboard Florida. The project would re-establish passenger rail between two of the state's most congested, visited and populated regions. This new service would have beneficial social and economic impacts for the millions of residents that travel along the state's east coast.

As Florida surpasses New York to become the nation's third most populous state, the influx of cars on our roads will increase dramatically. The project will remove many vehicles on the road each year. The re-introduction of passenger rail along the FEC translates to less congested roads in the South Florida and between South and Central Florida.

The All Aboard Florida project represents a real solution to the transportation challenges in Florida.

Sincerely,



Aaron J. Gorovitz

AJG/axl

11/10/14
Lantana, Florida

To Whom It May Concern:

Be it known that we are thoroughly
opposed to the railroad project. We have a
20 year business in Palm Beach County and
cannot see any benefits from this for our
communities or to our life styles. Please
give considerations to our wishes.

Thank you,
Margot & Paul Hamlin

Federal Railway Administration

SE Room W38-311

Washington D.C. 20590

Att: John Winkler

I have been a resident of Jupiter for almost 30 years, and am a big fan of rail travel. However , I feel that All Aboard Florida is not the rail project needed by our residents

I have relatives in Orlando, and visit frequently, usually by auto(there are two highways that go there directly, the Florida Turnpike and I-95) There are planes- and a train(generally the Silver Meteor) that run from Miami-west Palm Beach, Winter Park an Orlando twice a day. I doubt that those trains are overcrowded. They go through a mostly uninhabited area of Florida, and are more convenient to Disney and other Central Florida attractions.

When all aboard Florida trains get to the Orlando airport, those tourists will need road transportation on Orlando's already crowded roads.

Nothing has been announced as to the cost of the trip, but tourists will have a far better option of going by car, directly to their destination and if they have families it is a cheaper option as well.

The tracks were there before the Florida population grew in the communities close to the ocean and beaches.

During the season, the crossings are often crowded and backed up. 32 trains a day will paralyze the major crossings- affecting school traffic, ambulances, and beach traffic. The bridges across the Intercoastal open twice an hour, further complicating the traffic flow.

The cost to the local communities to make the crossings safe will be considerable, and they will get nothing out of it. Why would anyone drive from Stuart or Jupiter to west Palm Beach to take a high speed train to the Orlando airport?

The railroad Bridge in Jupiter will closed much of the time, restricting boats from entering and leaving the Loxahatchee River.

Sincerely yours,

Phyllis M. Schaffer

Phyllis M. Schaffer
17026 BAY ST.
JUPITER, FL 33477

Subj: (no subject)
Date: 12/4/2014 11:21:53 A.M. Eastern Standard Time
From: ERothermel@aol.com
To: AAFcomments@vhb.com

Dear Sirs:

I am dumbfounded - # 1 - that anyone would consider putting a high speed train on 90 year old tracks and bridges and #2 that you would deem to run it thru hundreds of crossings used by local towns!! I do not think that anywhere in the world the old tracks would be used for such a train.

I have lived in Jupiter since 1969, and am fully aware of the impact this event would cause - not only for car traffic, but also boats in the Intracoastal Waterway, both here and in Stuart. The train is not of any benefit to us, or anyone else north of West Palm Beach except being a hazard for emergency vehicles trying to get patients to our hospitals.

I have not heard anyone here who is not totally against this train!!

Elizabeth Rothermel - Jupiter, FL



Tom & Peggy Pettibone
16936 Passage Island South
Jupiter, FL 33477
561-744-7758

November 9, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

We are opposed to Florida East Coast Railway sending 32 All Aboard Florida (AAF) passenger trains a day through the Treasure Coast downtown areas. In particular, we are opposed to the FRA's granting a \$1.6 billion loan to AAF. It is a scheme by a New York hedge fund to enhance their balance sheet at taxpayer expense. Please do not use government funds for the sole benefit of this private hedge-fund.

Worse, the project will create safety problems, damage Florida's marine, fishing, and tourist industries, and turn many desirable coastal communities into a gritty industrial corridor.

Of particular concern are the highway crossings in many communities. Today's closures already create serious traffic problems. Doubling or tripling the closures will greatly worsen this situation, and create life & death issues by delaying access to hospitals.

In addition, increased closures of the 90-year old railroad trestles at the St. Lucie, Loxahatchee, and New Rivers will seriously damage Florida's marine, fishing, and tourist industries. They are already old, rusty and unreliable. Under this scheme they will be closed for long periods each day effectively eliminating access to those rivers and the St. Lucie Canal connecting Florida's east & west coasts.

In order for this scheme to be viable, overpasses must be built at the highway crossings, and the 90-year old trestles must be replaced with elevated rail bridges for vessel passage. Please halt the project until these improvements are incorporated in the plans.

Tom & Peggy Pettibone

TO: Mr. John Winkle, Federal Railroad Administration

1200 New Jersey Avenue, SE

Room W38-311

Washington, DC 20590

FROM: MaryJo McPhail

127 Adobe Cr

Jupiter FL 33468

CSX Transportation is one of only five Class One railroads in the United States. CSX currently furnishes passenger rail service between Miami and Orlando via Amtrak. If high-speed rail is such a great opportunity, I wonder why CSX has not jumped at the chance to prove that service.

In fact, no railroad company is planning to provide the high-speed rail service. The current proposal is by a Wall Street hedge fund, Fortress Investment Group. Fortress bought the FEC in 2007 and has set up All Aboard Florida as a subsidiary.

At a recent meeting with the St. Lucie County Commission, the All Aboard Florida representative acknowledged that the money being borrowed by All Aboard Florida would be used to build a second and third set of tracks that would be used by the FEC in its freight operations.

That's only half of the story. The first, second and third set of tracks and the roadbed will be owned by the FEC and will not be subject to the lien of the mortgage given by All Aboard Florida to secure its debt. If All Aboard Florida should fail, then the FEC has the improved roadbed and the second and third set of tracks free and clear of any lien.

This is like a bank lending someone the money to build and furnish a home and taking back a mortgage on only the furniture.

If the FEC is not willing to guarantee the loan to All Aboard Florida and secure it by a mortgage on the real estate and all improvements, then the loan should not be made.

Sincerely,

MaryJo McPhail

7088 SE Rivers Edge St.
Jupiter FL 33458
November 6, 2014

Mr John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE
Room W38-311
Washington D.C. 20590

RE: All Aboard Florida

Dear Mr. Winkle:

Regardless of the faults of the EIS, we all know this is not about passenger service, it's about freight service. Since there is speculation that AAF will have to apply for a loan from your agency in spite of their claims to seek private funding, I respectfully request that you reject any request from AAF thus exposing the nation's taxpayers to the unpaid debt due to the failing passenger service, regardless of collateral of tracks and rolling stock. We are convinced they don't care if the passenger service fails, they expect to make money from their real estate holdings along the route, and from the freight service that will surely increase. The disastrous impact of this venture on all residents on the east coast will be irreversible.

Claims that passenger service is needed to offer another mode of transportation and take cars off the road are speculation. There is already service to Orlando by Amtrak that is under utilized and losing money. With few, if any, exceptions, high speed rail around the world does not pay for itself. Any claims that it will here are smoke and mirrors to sell their game. In China, for instance, I am told by government officials they don't expect it to make money, at least for a long while, they see it as a service to their people, to connect cities to enable the people to visit other areas and to assist in business to improve the economy. And they have over a billion people as potential riders. Their high speed rails are elevated for the most part, the few crossings they have at ground level are well fenced, and they go thru mostly sparsely inhabited areas. The vibration is felt many blocks away. Let AAF elevate the tracks and build overpasses for our already busy crossings.

As a resident of the Treasure Coast I see this as a threat to our lifestyle that will impact the health, welfare, and safety of the public. I am fortunate in that I live far west of the FEC tracks and have easier access to the Jupiter Medical Center. Many people are not that lucky. However, all of my doctors are located on the east side of the tracks and I wonder how often I'm going to miss an appointment because of lengthy closing of all the crossings I could use. Access to my county seat requires crossing the FEC tracks twice no matter what route I take. Many might see the problem of boats stacking up when bridges are up only as an inconvenience for pleasure boats. Florida's economy is built on many factors, one being outdoor activities, and the marine industry plays an important part in our economy.

I am sure AAF does not care about we the people, they're in it for the money, not to be nice to us. I would hope that our government would be more interested in protecting the people and rejecting any financial assistance requested by all their related companies. No matter how quiet the proposed increased railway traffic on the FEC tracks, this is a travesty forced on the mass of people involved. While it may increase business of some sort, it will destroy other businesses, it will impact our State Parks and kill the animals and peace of these parks. The number of trains now are a problem but they don't go as fast and are not in the numbers planned. What a shame.

Sincerely,

Margaret M. Ketter

TRR Bahia Mar, LLC

1175 Northeast 125th Street · Suite 102
North Miami, Florida 33161
(305) 891-1107 ext. 202 · Facsimile (305) 891-2577
Jimmy@TateCapital.com

Via Federal Express

November 20, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

Re: DEIS for Phase II of the All Aboard Florida Project

Dear Mr. Winkle:

The recently released Draft Environmental Impact Statement on the All Aboard Florida project has significantly understated the impact on the Marine Industry and the need for access on the New River. The Marine Industry is a key component to the economic wellbeing of South Florida and specifically Broward County. It represents:

- 136,465 jobs regionally in marine businesses;
- 110,000 jobs in Broward County;
- Over \$11.5 billion in gross output regionally;
- \$8.8 billion in gross output in Broward County;
- Nearly \$4.1 billion in wages and earnings.

Bridge closure changes from current practice will directly affect the users of the waterway and businesses that rely on access. The proposed plan allows for 32 All Aboard Florida trains and 20 freight trains and permits only 50% access per hour to the upriver businesses under ideal conditions.

The EIS plan is flawed as the only economic impact to the Marine Industry taken into consideration is the \$101 of fuel consumed while vessels are waiting for a bridge opening.

The Marine Industry has been in discussion with All Aboard Florida since 2012 and from the beginning has requested items necessary for both the project and the industry to coexist, as follows:

- 40 minutes of open time per hour during daylight hours.
- Bridge tender with operational authority.
- Identify the corridor capacity for now and future use for both the impact to the bridge and the east/west pedestrian traffic.

Mr. John Winkle
Federal Railroad Administration
November 20, 2014
Page 2

The industry supports the rail project but cannot risk the loss of \$8.8 billion in economic benefit annually for 24 miles of track and a train station. A solution must be resolved before the project can be permitted to move forward.

Thank you for your consideration.

Best regards,

TRR Bahia Mar, LLC



James D. Tate
President

JDT:kmg

Fran Dambrouckas

3200 North Highway A1A
Suite 909
North Hutchinson Island, FL
34949

772-465-5755

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue
Room W 38-31
Washington, D.C. 20590

Dear Mr. Winkle,

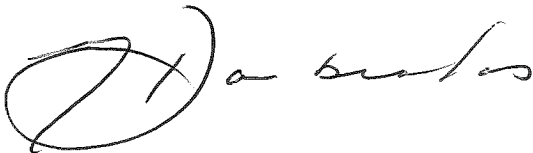
I live in Fort Pierce, FL on North Hutchinson Island and I firmly oppose the All Aboard Florida passenger railway as it is currently proposed.

There will be 48 train crossings a day, (some of which are 100 cars long). South Hutchinson Island will have the same issues. We must use a causeway to shop, do business, go to medical appointments or go to school and church. The causeways are our ONLY exit and entrance. Then there are the needs of emergency vehicles to consider. The train won't stop for an ambulance!

Florida East Coast is building a new track anyway, they should build it farther west where Amtrak already runs or they could also be compelled to construct over or underpasses for street traffic.

I believe F.E.C. just does not want to spend the money for land out west, but I don't want access to my home restricted 48 times a day.

Respectfully Yours,



Fran Dambrouckas
772) 465-5755
franimald@gmail.com

November 1, 2014

6250-1
Federal Rail Administration
1200 New Jersey Ave. S.E.
Room W38-31
Washington, DC 20590
Sept 22, 2014

Dear Mr. Winkle,

I wish to submit my comments (into public record) on the All Aboard Florida high speed rail EIS report. Across the nation unelected, unaccountable and in most cases unknown individuals are deciding policy for "We the People". In our area this is known as the Seven50 regionalism scheme. One of the many goals of regionalism is for the densification and **steering** of populations along a road or rail. Developers Dover Kohl and Partners admit this openly on Twitter! The godfather of New Urbanism, Andres Duany told us directly in his May 2013 lecture (to the Treasure Coast Regional Planning Council) that "fascism, it's efficient". We believe he means what he says.

So, we are asked to accept a train that has little or NO benefit to anyone... with the exception of Disney World, corporate elitists and Seven50 regionalists. Above all, we are asked to accept a train that will destroy our small, quiet, historic coastal towns. Adding more insult to injury, we will be fighting transit oriented development until kingdom come! At least 3 unnecessary, high density housing plans have been presented already. AAF and the accompanying developers are proceeding as if this project is a forgone conclusion.

The overwhelming majority of citizens who know about AAF do not want this train, period. This will turn our area into one massive, noisy, grinding industrial zone as the project transitions to freight. With property rights, come responsibilities. Sadly, AAF is simply taking advantage of the current culture of regional control at our expense.

THE PEOPLE HAVE SPOKEN. No trains, no stops, and especially no transit development. We have the right of self-determination. **We do not want the re-engineering of our cities.** As the founders of our great nation intended, we have the right to decide where we live and how we travel. Home rule and state's rights must prevail.

The reasons for eliminating this route are legion. Please save our coastal towns from destruction forever.

John D. Kilburg
Shirley G. Kilburg

September 22, 2014

Mr. John Winkle
Federal Railroad Administration

Dear Sir:

Re: All Aboard Florida

I live in a double mobile home in a mobile development (a very nice one too) in Nicco, Florida, a small town in Brevard County. The East Coast Railroad tracks go through our development in back of the houses across the street from mine. It goes practically through their back yards, and not very far from my house. All Aboard Florida plans to use those tracks for their trips from Orlando to Miami. The usage now is for freight trains and there are not many a day and nowhere near 100 miles an hour and they have little affect on us as is. But, All Aboard Florida intend to have 32 trips a day at more than 100 miles an hour (may more than the freight trains now). We are very concerned as to what affect all of this is going to have on our neighborhood and our houses noisewise and on our houses.

Can't something be done about this as to taking a different route or something?

Yours truly,
(Mrs.) Norma W. Caputo

The proposed All Aboard Florida passenger train is unconscionable, a ploy to eventually run more freight trains thru our communities. There are only about two profitable passenger trains in the United States. Most of AAF's management have no experience in passenger trains. The passenger trains will bisect our towns, causing many more deaths, hindering crucial emergency vehicles, causing traffic jams, putting excess strain on our 100 year old tracks, bridges, obstructing marine traffic, destroying property values, causing economic woes, higher taxes.

On North Hutchinson Island (Ft. Pierce) one must cross a drawbridge to get off the island. The distance between the bridge, railroad tracks and US Route 1 is very short. The tie-ups when the bridge is up will be dangerous. In downtown Ft. Pierce, the businesses, restaurants, theatre, waterside attractions will be decimated by the bisecting railroad.

The quality of life for the Treasure Coast will be ruined irreparably. A state easement along I-95 or the turnpike, with the State removing outdated tracks in the towns to make green space for trails could be a possible solution. AAF is a travesty, which must be stopped, Greed must not succeed.

Louise W. Stewart

Louise W. Stewart

3120 N Highway A1A #1403

N. Hutchinson Island FL 34949

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I see no stop between West Palm Beach and Orlando.
A stop in Vero Beach would give good access to
Orlando airport as well as South Florida. Vero Beach
is in the middle of both, and hasn't had any
passenger train service since the mid-1960's.

I formerly rode the train regularly from Vero Beach
to New York as well as West Palm Beach and Miami.

Please restore passenger trains to Florida's East Coast!
(above West Palm Beach) to Jacksonville and New York.
Thank you.

Rodney Chabot

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Rodney Chabot
Address	159 Ponus Ridge Road New Canaan, CT. 06840
email	Please provide your email address if you would like to receive notification when the FEIS is available

September 22, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., S.E.
Room W 38-31
Washington, DC 20590

Mr. Winkle:

If a picture is worth 1,000 words, as this one showing our small town and rural areas, then your 500 page environmental impact study could be summed up with just a few pictures.

100 MPH trains, cutting through these areas, blocking 150 roads from just W. Palm Beach to Cocoa Beach approximately every 15 minutes or so while pelting out massive amounts of noise and vibration, can only be described as highly intrusive and dangerous to people who live near them or must cross them daily.

So what is the purpose of the impact study if it suggests there can be peaceful coexistence between people and these new trains, when it is not at all possible!

The Federal Railroad Administration can use THEIR study to provide the go ahead to build these trains to nowhere backed by federal loans. Plus when (not if) things go wrong operationally and financially, they can say unforeseen circumstances were at fault, not politics and money.

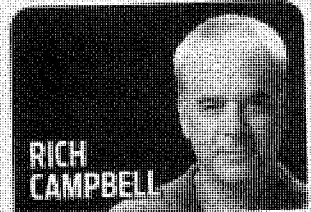
OH, NO!... Not another scandal to appoint a special prosecutor for.

Sincerely,



Frank Leroux
9799 Fleming Grant Road
Micco, FL 32976

PLAN IS ALL ABOARD



RICH CAMPBELL

COLUMNIST

It's no time to be silent on rail plans

One of the first paragraphs in the summary speaks volumes for Treasure Coast residents.

On Friday, the Federal Railroad Administration released its long-awaited environmental impact statement on All Aboard Florida's planned passenger rail service.

"All Aboard Florida ... is proposing to construct and operate a privately owned and operated intercity passenger railroad system that will connect Orlando and Miami, with intermediate stops in Fort Lauderdale and West Palm Beach," the document states.



**SHAPING
OUR FUTURE**

There will be no stops in Vero Beach, Fort Pierce or Stuart.

The railroad bridge over the St. Sebastian River is proposed to be demolished and replaced with a new

December 1, 2014

To: Federal Railroad Administration
1200 New Jersey Ave S.E. Rm W38-31
Washington DC 20590

From: William B. + Betty R. Coda
489 Dolphin Circle
Mico FL 32976

→ Dr. Mr. Winkle:

We have lived in Barefoot Bay, FL for almost ten years — a community of 10,000+ people — and for many reasons we are NOT on board this farce of a train deal. We saw immediately that the "passenger" train is a ruse and cover for the bigger picture of unending FREIGHT.

Safety concerns due to speed and proximity to many densely populated areas are completely unacceptable. Our property values are sure to plummet with 32 trains barreling through EVERY DAY. (I'm pretty sure there won't be 32 trains a day going past the executives' homes of AAF.)

Traffic nightmares, boat traffic impeded, and needless deaths as a by-product of such ludicrous thinking! What genius proposed unleashing 100 mph+ trains in the most populated areas of this state? Put it out west of I-95. And while they're at it, they can pay their OWN bills...as we do not wish to play financier to their profit.

The only way out of our community is on two roads that go over the tracks directly — there is no other way out that does not involve a set of tracks.

In closing, we vote NO on moving forward with this DEBACLE of a plan.

William B. + Betty R. Coda
William B. Coda Betty R. Coda

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

- 1- Though it may seem not so important, consider passengers with pets;
- 2- Signage in different languages since you expect tourists;
- 3- Waiting areas for elderly + disabled with appropriate seating;
- 4- Commuter stops;
- 5- Connections to transportation to Miami Beach.

If you need additional space, please attach a second sheet to this page



THE BEACON COUNCIL

November 3, 2014

Mr. John Winkle
Transportation Industry Analyst
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

It is my pleasure to write on behalf of The Beacon Council, Miami-Dade County's Official Economic Development Partnership. The Beacon Council's mission is to create new jobs and investments by creating new opportunities and by diversifying the local economy. Transportation and infrastructure is a key component to The Beacon Council's mission.

All Aboard Florida is a welcome relief to the growing challenges we face in mobilizing people to and from some of our most populous cities. It will provide tourists, business and leisure travelers alike with a convenient, cost-effective travel solution.

I want to add my voice to the growing support of many Floridians who understand the importance of this project and what it means for Florida's economy: \$6.4 billion in direct economic impact in the next 8 years; \$653 million in federal, state, and local government tax revenue through 2021, over 10,000 jobs on average through rail line construction (mid 2014 – 2016), and over 5,000 jobs on average per year after rail line construction is completed through 2021.

As the initial stages of construction begin, you can count on us to support All Aboard Florida with assistance as appropriate. I take great pride in saying that The Beacon Council is looking forward to supporting All Aboard Florida throughout this important project.

Regards,



Larry K. Williams

cc: Mr. Don Robinson, President and CEO - All Aboard Florida
The Honorable Rick Scott
The Honorable Bill Nelson
Secretary Ananth Prasad, P.E.

Miami-Dade
County's
Official
Economic
Development
Partnership

80 Southwest
Eighth Street
Suite 2400
Miami,
Florida
33130

Telephone:
305.579.1323
Facsimile:
305.375.0475

[www.beacon
council.com](http://www.beaconcouncil.com)

E-mail:
[lwilliams@beacon
council.com](mailto:lwilliams@beaconcouncil.com)

Larry K. Williams
President & CEO

White & Case LLP
Southeast Financial Center, Suite 4900
200 South Biscayne Boulevard
Miami, Florida 33131-2352

Tel +1 305 371 2700
Fax +1 305 358 5744/5766
whitecase.com

December 31, 2014

VIA EMAIL AND U.S. MAIL

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Ave., SE, Room W38-311
Washington, DC 20590
AAF_comments@vhb.com

**Re: Draft Environmental Impact Statement for
All Aboard Florida Project**

Dear Mr. Winkle:

I am writing to submit further comments of the Marine Industry Association of Palm Beach County, Inc. and its members (the "Association") on the Draft Environmental Impact Statement ("DEIS") for the All Aboard Florida ("AAF") project to offer passenger rail service between Miami and Orlando (hereinafter the "Project").

In our earlier comment letter, we asked the Federal Railroad Administration to revise the DEIS to evaluate alternatives which would replace the existing Florida East Coast Railway ("FEC") bridges over the Loxahatchee and St. Lucie Rivers. Much of the conflict between railroad operations and marine navigation is the result of the design of those bridges, which are close to the waterline and block navigation when their drawbridges are closed. Replacement of those bridges with newer spans, which could allow for more vessels to pass beneath them when the drawbridges are closed and/or which would shorten the time that the drawbridges are down, could address many of the boating public's concerns. The DEIS considers replacement or renovation of several other bridges along the FEC corridor as part of the Project, and it could be revised to consider options to replace these two bridges as well.

There is mounting evidence that the Loxahatchee and St. Lucie River bridges need to be replaced. They were built nearly a century ago. As we demonstrated in our December 3, 2014 letter, the bridges appear to be physically decrepit and are covered with rust above the waterline. Since they are privately owned, we are in no position to have them inspected by independent engineering experts. However, the Florida Department of Transportation recently commissioned an engineering study of the publicly-owned U.S. Highway 1 bridge located next to the FEC bridge over the Loxahatchee River, and found so much underwater decay that it has recommended that the bridge be replaced. Given that the highway bridge is much newer than the FEC bridge, and is exposed to the same conditions, this indicates that our concerns about the condition of the FEC bridges are well-founded.

December 31, 2014

We are not aware of any publicly-available engineering inspections of the FEC's Loxahatchee and St. Lucie Bridges. The FEC and All Aboard Florida presumably have commissioned such inspections pursuant to federal bridge safety standards set forth at 49 CFR Part 237. Those regulations authorize the Federal Railroad Administration to inspect and reproduce the records of such inspections in the exercise of its authority to ensure railroad safety. We ask that your agency exercise that authority, inspect and copy the records of inspections of those bridges, and disclose its findings in a revised draft EIS. We also ask that your agency conduct its own independent inspections of those bridges so that the public is assured of the objectivity of the results.

If the evidence confirms that those two bridges need to be replaced now or in the near future, then the Project creates an opportunity for a win-win between railroad and marine transportation. New bridges could be designed to significantly reduce the obstruction of navigation, by raising their spans, updating the drawbridges, or other design improvements. The cost of those improvements could be wrapped into the overall Project cost, just like the cost of the replacement of other bridges along the FEC corridor already is included in the Project. Replacement of these bridges would be a small cost in the context of the overall Project.

The National Environmental Policy Act requires agencies to consider alternatives to their proposed actions. This is especially true when the proposed action is one presented by a private party seeking federal agency approval or consent. We therefore strongly recommend that your agency consider different bridge alternatives for the Loxahatchee and St. Lucie Rivers, and set them out for public review in a revised DEIS.

We also ask that your agency consider significant new information related to future demand for freight transportation along the FEC corridor. In December 2014, President Obama announced that the United States would begin the process to normalize relations with Cuba. If the United States' trade embargo with Cuba is lifted, then it is reasonably foreseeable that there could be a significant increase in demand for freight transportation along the FEC railroad corridor. Florida is located adjacent to Cuba and there are three major seaports in South Florida all served by the FEC Railway, which means that any increase in trade with Cuba is nearly certain to lead to an increase in freight traffic. We believe that the estimates of future freight traffic used in the DEIS do not assume a lifting of the Cuba trade embargo. Since an increase in the number of freight trains using the FEC corridor has a cumulative effect with new passenger rail service on the same rail line, we ask that the Federal Railroad Administration issue a revised draft EIS which updates the projections of freight demand based on this new development, and shows the effect of increased railroad operations on local communities.

Sincerely,



Neal McAleiley

cc: U.S. Coast Guard, Seventh Coast Guard District (via U.S. Mail and Email:
USCGD7DPBPublicComment@uscg.mil)

Attachment

Board of Directors

Chairman
Marc Sarnoff
Commissioner, City of Miami

Vice-Chairman
State Cabinet Representative
Neisen Kasdin
Akerman

Treasurer
Alvin West
Greater Miami Convention
& Visitors Bureau

County Commission Representative
Bruno Barreiro
Commissioner, Miami-Dade County

Alicia Cervera-La Madrid
Cervera Real Estate

Jose Goyanes
Tre Italian Bistro,
Metro Beauty Center,
Churchill's Barbershop

Julie Grimes
DoubleTree Grand Hotel

Jerome Hollo
Florida East Coast Realty

Hank Klein
Blanca Commercial Real Estate

Danet Linares
Blanca Commercial Real Estate

Richard Lydecker
Lydecker - Diaz Attorneys
& Counselors At Law

Dr. Rolando Montoya
Miami Dade College

Nitin Motwani
Miami Worldcenter Group

Alan Ojeda
Rilea Development Group

Kim Stone
The Heat Group,
American Airlines Arena

Executive Staff

Alyce Robertson
Executive Director

Javier Betancourt
Deputy Director

November 7, 2014

Mr. John Winkle
Transportation Industry Analyst
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE, Room W38-311
Washington, DC 20590

Dear Mr. Winkle:

It is my pleasure to write on behalf of the Miami Downtown Development Authority (DDA), an independent agency of the City of Miami whose mission is to grow, strengthen and promote Downtown Miami.


All Aboard Florida is a welcome relief to the growing challenges we face in moving people to, from and within some of our most populous cities. It will provide commuters and visitors alike with a convenient, cost-effective travel solution.

I want to add my voice to the growing support of many Floridians who understand the importance of this project and what it means for Florida's economy: \$6.4 billion in direct economic impact in the next 8 years; \$653 million in federal, state, and local government tax revenue through 2021, over 10,000 jobs on average through rail line construction (mid 2014 – 2016), and over 5,000 jobs on average per year after rail line construction is completed through 2021.

As the project begins, you can count on me to provide All Aboard Florida with any assistance. I take great pride in saying that the Miami DDA is **ALL ABOARD**.

As always, please do not hesitate to contact me with any questions or concerns at 305-579-6675 or robertson@miamidda.com.

Sincerely,



Alyce M. Robertson
Executive Director

cc: Don Robinson
The Honorable Rick Scott
The Honorable Bill Nelson
Secretary Ananth Prasad, P.E.

Enclosures

- Miami DDA Resolution Nos. 19/2014 and 23/2012

RESOLUTION NO. 19/2014

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF MIAMI, FLORIDA (DDA) REAFFIRMING THE DDA'S SUPPORT FOR ALL ABOARD FLORIDA'S PASSENGER RAIL SERVICE BETWEEN DOWNTOWN MIAMI AND ORLANDO AND AFFIRMING SUPPORT FOR THE PROPOSED DOWNTOWN MIAMI CENTRAL STATION AND ASSOCIATED DEVELOPMENT PROGRAM.

WHEREAS, on May 18, 2012 the Board of Directors of the Miami Downtown Development Authority (DDA) adopted Resolution No. 23-2012 "in support of the proposed All Aboard Florida privately owned, operated and maintained passenger rail service between downtown Miami and Orlando" (Exhibit 1); and

WHEREAS, on May 28, 2014 All Aboard Florida publicly announced the unveiling of its Downtown Miami "multimodal hub... [featuring] mixed-use development with residential, office, commercial, and a retail concourse, while serving as a connector between All Aboard Florida's passengers and Miami's existing public transport systems" (Exhibit 2); and

WHEREAS, All Aboard Florida and its parent company, FECI, are in discussion with Miami-Dade County regarding joint development of a parking structure and bus terminal pursuant to the Miami-Dade County Metropolitan Planning Organization's (MPO) Downtown Intermodal Terminal Feasibility Study, published in December 2013; and

WHEREAS, All Aboard Florida has expressed an interest in incorporating a bicycle commuter station into its Downtown Miami terminal pursuant to the Miami DDA's Downtown Bike Center Feasibility Study, published in July 2013; and

WHEREAS, on June 5, 2014 the Miami DDA Urban Design, Transportation, and CIP Committee reviewed plans for All Aboard Florida's Downtown Miami station and development program, and recommended that the DDA board adopt a resolution in support of the project; and

WHEREAS, the DDA urges All Aboard Florida and FECI to incorporate the following into its project:

- Transfers between the various services, including All Aboard Florida intercity rail, Tri-Rail Coastal Link commuter rail, Metrorail, Metromover, and Baylink should be seamless, user-friendly, and climate controlled;
- A high-quality array of passenger support services should be provided, including through-checking of baggage and an integrated passenger notification system providing intercity, commuter, and local train timetables on all platforms;

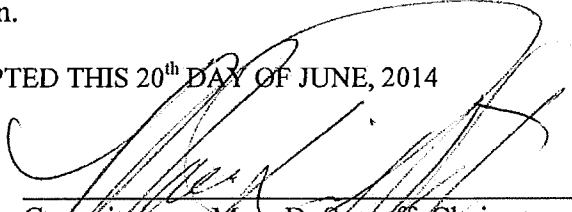
- In conjunction with the proposed bus terminal and parking garage on County property: (a) existing green space should be preserved and lost green space appropriately mitigated, (b) the terminal should have a green roof with readily accessible, useable green space, (c) retail liner should be maximized along the perimeter of the terminal, especially along NW 3 Street, and (d) the total linear footage of driveways should be kept to a minimum, as should the linear footage of any single driveway and/or any “cluster” of driveways;
- Trails, pathways and open spaces should be included to the extent possible in the planning, design and development of passenger rail service and adjacent transit oriented developments, including development of the proposed Flagler Trail from Downtown Miami to Orlando, while ensuring the preservation of right-of-way for existing and planned rail service along the corridor, including freight and passenger rail;
- The DDA urges All Aboard Florida and FECI to work collectively with the City of Miami and Miami-Dade County to secure approval of trail facilities in conjunction with the entitlement review processes;
- The All Aboard Florida terminal should include a “robust” bicycle commuter station with amenities including secure bike storage, bike sharing facilities, lockers and showers, towel service, and a bike tune-up station with air for tires and tools for minor repairs.

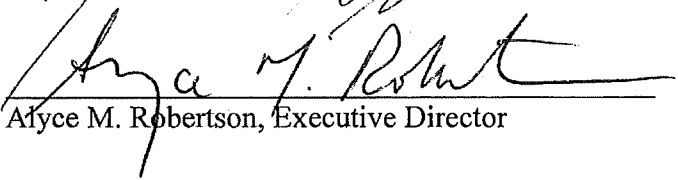
NOW, THEREFORE, be it resolved by the Board of Directors of the Miami Downtown Development Authority of the City of Miami, Florida:

Section 1. The recitals are true and correct and are adopted by reference and incorporated as if fully set forth in this Section.


Section 2. The Miami DDA reaffirms its support for All Aboard Florida’s passenger rail service between Downtown Miami and Orlando and affirms support for the proposed Downtown Miami central station and associated development program, as provided within the “Whereas” clauses of this resolution.

PASSED AND ADOPTED THIS 20th DAY OF JUNE, 2014


Commissioner Marc D. Sarnoff, Chairman


Alyce M. Robertson, Executive Director

ATTEST:


Madelyne Raybourn
Secretary to the Board of Directors

RESOLUTION NO. 23/2012

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") OF THE CITY OF MIAMI, FLORIDA IN SUPPORT OF THE PROPOSED "ALL ABOARD FLORIDA" PRIVATELY OWNED, OPERATED AND MAINTAINED PASSENGER RAIL SERVICE BETWEEN DOWNTOWN MIAMI AND ORLANDO BEING DEVELOPED BY FLORIDA EAST COAST INDUSTRIES, INC; FURTHER ENCOURAGING FLORIDA EAST COAST INDUSTRIES, INC. TO SUPPORT A SEPARATE COMMUTER RAIL SERVICE WITH STATIONS AT HIGH DENSITY / HIGH COMMERCIAL INTENSITY AREAS ALONG THE ROUTE IN ORDER TO BETTER CONNECT DOWNTOWN MIAMI TO OTHER PARTS OF THE REGION; AND FURTHER URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION AND OTHER REGULATORY/FUNDING AGENCIES TO SUPPORT THESE PROJECTS AS NECESSARY.

WHEREAS, Downtown Miami is South Florida's largest, most utilized transit-oriented neighborhood, featuring the State's largest employment center, a growing high-density residential community, major cultural and entertainment destinations, and an existing premium transit infrastructure that includes three Metrorail stations, three Metromover loops, and two major Metrobus terminals; and

WHEREAS, despite these facts, Downtown Miami is not currently served directly by regional or intra-state passenger rail; and

WHEREAS, the 2025 Downtown Miami Master Plan supports directly linking Downtown to other Florida cities along the FEC corridor (provided herein as Exhibit A); and

WHEREAS, Florida East Coast Industries, Inc., owners of the FEC corridor, has announced plans to develop privately owned, operated and maintained passenger rail service between Downtown Miami and Orlando, with additional stops at Ft. Lauderdale and West Palm Beach (provided herein as Exhibit B); and

WHEREAS, the DDA finds that this proposed service is consistent with and furthers the Downtown Miami Master Plan's expressed goals for such service; and

WHEREAS, the DDA wishes to encourage Florida East Coast Industries, Inc. to support a separate commuter rail service with stations at high density / high commercial intensity areas along the route in order to better connect Downtown Miami to other parts of the region.

NOW, THEREFORE, be it resolved by the Board of Directors of the Miami Downtown Development Authority of the City of Miami, Florida.

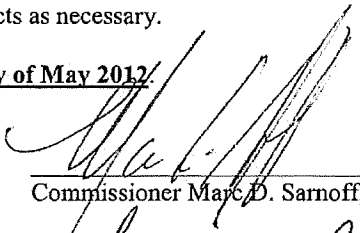
Section 1. The recitals are true and correct and are adopted by reference and incorporated as if fully set forth in this Section.

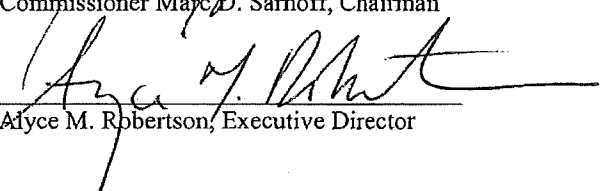
Section 2. The DDA Board of Directors supports the proposed "All Aboard Florida" privately owned, operated and maintained passenger rail service between Downtown Miami and Orlando being developed by Florida East Coast Industries, Inc.

Section 3. The DDA Board of Directors encourages Florida East Coast Industries, Inc. to support a separate commuter rail service with stations at high density / high commercial intensity areas along the route in order to better connect Downtown Miami to other parts of the region.

Section 4. The DDA Board of Directors urges the Florida Department of Transportation and other regulatory/funding agencies to support these projects as necessary.

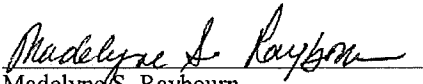
PASSED AND ADOPTED this 18th day of May 2012.



Commissioner Marc D. Sarnoff, Chairman

Alyce M. Robertson, Executive Director

ATTEST:



Madelyne S. Raybourn
Secretary to the Board of Directors

October 3, 2014

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE
Room W38-311
Washington, DC 20590

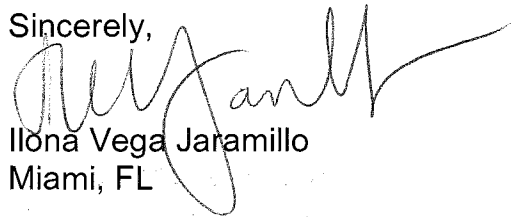
Dear Mr. Winkle:

Please accept this letter in support of the All Aboard Florida project. This new intercity, express passenger rail service will have significant economic benefits for the state of Florida through the creation of jobs, generation of economic impact and tax revenues and increased mobility options. The project is receiving international interest and positions Florida as a global competitor.

Although the system's current route is confined to central and south Florida, the economic benefits have statewide implications. The Draft Environmental Impact Statement states that All Aboard Florida is set to have \$6.4B in direct economic impact to Florida's economy over the next eight years and generate \$653M in federal, state, and local governments revenue through 2021. The project will create over 10,000 jobs on average per year through the rail line construction and over 5,000 jobs on average per year after the rail line construction is completed through 2021.

All Aboard Florida underscores Florida's relevance as a mega-region and as the first private, intercity passenger rail system in the entire nation. Supporting this projects means supporting Florida's economy, the creation of thousands of jobs, and an improved quality of life for our state.

Sincerely,



Ilona Vega Jaramillo
Miami, FL

Mr. John Winkle,
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington DC. 20590

Dear sir,

It is a privilege to have the opportunity to make my views known, and to write this letter of support for the All Aboard Florida passenger train planned to connect Miami and Orlando with a fast and modern mode of transportation.

The reasons for my enthusiasm are twofold :

First, I see rail travel as a much safer alternative to the automobile which will save many lives in the decades ahead, as the American public once again finds its benefits. The second reason why I fully back this project is our future energy predicament : All Aboard Florida is a first step in what will surely become a more energy efficient and environmentally friendly future as our nation again embraces rail travel. The age of the railroads is back, and this time it will be here to stay.

Again, I am grateful for the opportunity to voice my views regarding this urgent matter. Yours very sincerely,

A handwritten signature in dark ink, appearing to read 'Cesar M. Gonzalez', with a stylized flourish at the end.

Cesar M. Gonzalez
6245 SW Kendale Lakes Cir. A-210
Miami, FL 33183-1961

1740 Shelter Trail

Merritt Island, FL 32952

11/5/2014

Federal Railroad Administration

ATT: John Winkle

1200 New Jersey Ave. SE

Room W 38-311

Washington, DC 20590

RE: Federal Railroad Rehabilitation, All Aboard Florida Program

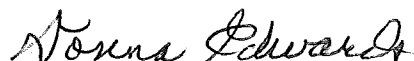
Dear Mr. Winkle,

All Aboard Florida, a subsidiary of Florida East Coast Industries is wanting to have a high-speed passenger rail service from Miami to Orlando going through Brevard County Florida. None of these trains will stop in Brevard County. They are planning to run 32 trains a day at speeds as high as 110 miles per hour.

Please deny this request. What mechanism will be in place to protect the public? This activity could cut off the east from the west parts of town and impede emergency services. I own property that is situated close to the current tracks. The delay at the crossing for these passenger trains in addition to the trains that run now will too much to ask of the people residing close to the tracks. Not to mention the middle of the night train horns that wake people up, and the possibility of more auto-train collisions.

Who has the authority to say how many trains a day they can run? The people who own East Coast Industries and want this should be forced to live for a week close to what they are proposing for here.

Sincerely,

A handwritten signature in cursive script that reads "Donna Edwards".

Donna Edwards

321-452-0408

All Aboard Florida Intercity Passenger Rail Project
Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I AM AGAINST ALL ABOARD FLORIDA IN BREVARD COUNTY. THE COUNTY IS LONG AND NARROW, AND HAS AN EXTENSIVE EASTERN COAST SHORELINE. THE AREA THE TRAINS WILL BE TRAVELING ARE NEXT TO, OR NEAR U.S. 1 IN AN ENVIRONMENTALLY SENSITIVE AREA NEAR THE INDIAN RIVER LAGOON. THE LAGOON IS IN A CRISIS STATE. MILLIONS OF DOLLARS HAVE BEEN APPROVED BY THE FLORIDA LEGISLATURE, AND WILL BE SPENT IN THE FUTURE FOR CLEANUP. THE TRAIN WILL BE SO CLOSE TO THE LAGOON IN SYNTREE, MELBOURNE, AND PALM BAY THAT TRAIN CARS GOING AT THE FAST SPEED OF 80-110 M.P.H. COULD END UP IN THE LAGOON. TRAIN ACCIDENTS HAVE AND WILL OCCUR. INCREASING FREIGHT TRAFFIC—SOME TRANSPORTING DIRTY OIL IN UNSAFE TANKER CARS, AS IS HAPPENING IN SOME AREAS, ARE ANOTHER CONCERN.

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



**U.S. Department
of Transportation
Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	THADDEUS MIKOLAJCZAK
Address	522 CARMEL DRIVE MELBOURNE, FL 32940
email	Please provide your email address if you would like to receive notification when the FEIS is available

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

EVERY PRECAUTION MUST BE TAKEN TO KEEP POLLUTANTS OUT OF THE INDIAN RIVER LAGOON. MANATEES, DOLPHINS, AND SEA BIRDS ARE DYING AT AN ALARMING RATE. SCHOOL CHILDREN ARE NOT ALLOWED TO WADE IN THE LAGOON BECAUSE OF POLLUTION.

ALSO, NOISE AND VIBRATION WILL DESTROY DOWNTOWN MELBOURN'S TOURIST BUSINESS. THE TRAINS WILL RUN RIGHT THROUGH THE DOWNTOWN AREA WITH RESTAURANTS, BARS, GIFT SHOPS ON BOTH SIDES OF THE TRACKS, AND TOURISTS WALKING ACROSS THE TRACKS TO GET FROM ONE SHOP TO ANOTHER.

ALSO, BREVARD COUNTY IS HOME TO ONE OF THE LARGEST BIRDING FESTIVALS IN THE NATION. THE ANNUAL INCOME IS IN THE MILLIONS. THE NOISE, AND VIBRATION WILL CHASE THE BIRDS AWAY.

PLEASE MOVE THE PROPOSED LOCATION FURTHER WEST WHERE THERE IS AN EXISTING TRACK. THANK YOU

Thaddeus Mikolajczyk

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



**U.S. Department
of Transportation
Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	THADDEUS MIKOLAJCZAK
Address	522 CARMEL DRIVE MELBOURNE, FL 32940
email	Please provide your email address if you would like to receive notification when the FEIS is available

Patricia Hammock
165 Riverview Drive
Melbourne, FL 32901

November 10, 2014

RE: All Aboard Florida

To Whom it May Concern;

I am writing this letter in hope of getting some honest answers about the high speed rail from Orlando to Miami which will go into service in the near future. According to the reports I have read the train will travel at speeds in excess of 110 miles per hour and will only stop in Miami, Ft. Lauderdale and West Palm. I've also read that 32 trains per day will run through our area, 16 going north and 16 going south! Boy, talk about noise pollution! What about the cargo trains that are already running and are those going to increase as well?

What I want to know is who really benefits from this? Is the the State, the banks or the conglomerates? The general public in our area and the environment will not benefit from it. Our roads are already stressed out due to overgrowth and our railroad crossings are antiquated, not always reliable and now traffic will have to stop every 30 minutes for more trains. This is just useless to the general public!

Our economy is already on a downward spiral, regardless of what we are being told and now property values along this path are going to decline due to this anticipated monster!

The noise issue with the horn was addressed as putting a buffer zone by the crossings but what about all the horn blasts as the trains pass by the homes along the tracks before the crossings? It will simply be unbearable.

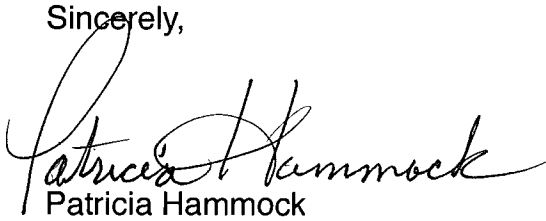
Another issue will be the danger of such high speed trains, pedestrain and vehicle traffic. There are already numerous fatalities with the cargo trains and Amtrak trains. What about people who are trying to get to and from work? This is going to cause huge traffic headaches for those traveling from the coast inland. Are the needs of the public going to be ignored again for the sake of big money conglomerates?

Why wouldn't it be wiser to build the new tracks along the I-95 corridor which has already been approved for noise levels and environmental issues which would take it out of the general public environment? Again, I ask you to convince me that this is a good idea for the majority and not just for the elite few. Progress is a great thing but only if it is in the interest of the majority of the people and only if in the right direction.

We can only be good stewards of our state and country as long as our elected officials are willing to not compromise our environment and our general public interest! We are the people who live here year 'round and support the state not the few who will ride the train from Orlando to Miami. It makes me wonder if all this is just so big business will be able to transport more foreign goods from one place to another...once All Board Florida fails.

I'm waiting for a common sense reply.

Sincerely,



Patricia Hammock
Patricia Hammock
Concerned citizen

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

I am against All Aboard Florida going through
Brevard County.

U.S. 1 has been designated a scenic highway
going through Melbourne and Palm Bay.

The existing freight rails go right through
the heavy traffic tourist area consisting
of heavy foot traffic across the tracks
in Historic Downtown Melbourne.

While I was recently having dinner at
the Continental Flame Restaurant on
New Haven Avenue, the restaurant actually
shook due to the vibration of the freight
train passing next to the restaurant.

(see map enclosed) All Aboard Florida's 32
train trips plus freight train trips every
day will be back to this restaurant
and to Historic Downtown Melbourne.

If you need additional space, please attach a second sheet to this page

**All Aboard Florida Intercity Passenger Rail
Project**

Draft Environmental Impact Statement



**U.S. Department
of Transportation
Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	Carol Hamilton
Address	522 Carmel Dr. Melbourne, FL 32940
email	Please provide your email address if you would like to receive notification when the FEIS is available carolhamiltonobellsouth.net

All Aboard Florida Intercity Passenger Rail Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

Comments submitted using this form will be recorded by the FRA and addressed in the Final Environmental Impact Statement. FRA will consider all comments in its decision on the proposed project. This form will only be used to record comments, and for no other purpose.

Comments:

Traffic coming from AIA and US1 have to cross US1, and the train tracks to get to the west side of the tracks and the I-95. This activity could virtually cut off the east from the west parts of town, impede emergency service, reduce commerce, and back up traffic onto Main Highways. Also, hurt evacuation for a hurricane. Putting All Aboard FL in the densely populated east coastal region is a major safety and environmentally mistake. Brevard County will be deeply hurt environmentally, and financially. Our annual birding festival alone brings in millions of dollars, and birders from all over the country. The birds will not stay with the additional noise, and vibration. My suggestion is to upgrade the existing track in the center of the state where the population is less dense, and the impact will

If you need additional space, please attach a second sheet to this page

be less damaging,

Sincerely,

Carol Hamilton

All Aboard Florida Intercity Passenger Rail
Project

Draft Environmental Impact Statement



U.S. Department
of Transportation
**Federal Railroad
Administration**

The DEIS is available at area libraries and on the FRA's website (www.fra.dot.gov/Page/P0672).

There are 4 ways that you can comment:

- 1) Written comments may be submitted tonight, in the boxes provided
- 2) Comments may be made orally at this meeting (to the court recorder)
- 3) Written comments may be mailed to:

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue, SE Room W38-311
Washington, DC 20590

- 4) Written comments may be emailed to: AAF_comments@vhb.com.

Comments on the DEIS must be submitted to the FRA by December 3, 2014.

Optional Personal Information:

Name	<i>Carol Hamilton</i>
Address	<i>522 Carmel Dr. Melbourne, FL 32940</i>
email	Please provide your email address if you would like to receive notification when the FEIS is available <i>carolhamilton@bellsouth.net</i>

21 Oct 2014

FEDERAL Railroad Administration
1200 NEW Jersey Ave SE
Washington DC 20590

Dear Sir or Madam,

I am writing to you regarding All Aboard Florida implementation plans and proposals. We are being told that this proposed plan will definitely increase the number of trains traveling through our county - Brevard County Florida.

This proposal presents A lot of problems.

When I go to my grocery store I cross the train tracks. When I go to see my doctor I cross the train tracks multiple times. When I go to get gas in my car I cross the train tracks multiple times. When we go to a favorite restaurant we cross the train tracks. So you can see that making these proposed changes will have an effect and it will not be a positive one.

There will be increased automobile stops, traffic, AND congestion.

One concern also is pedestrian traffic. We have railroad tracks that run near our children's

schools. We have railroad tracks that run right beside houses and right along neighborhoods. We have railroad tracks that run in downtown areas. We have railroad tracks that are right besides churches. Again this will have a negative impact upon our community - increased risk to our pedestrians, our children.

There is potential impact on the health community. My closest Rescue Squad (paramedics) is across the train tracks. And the route to the hospital requires crossing the tracks also. So increased train traffic has the potential to risk or cost a person their life by delays enroute to the hospital.

The train tracks run downtown in a few of our county towns. These towns are historical, quaint and are rejuvenated areas due to the hard work of our small businesses and local citizens. Foot traffic is critical to these towns to enable them to stay in business. I can truthfully tell you that I will not visit these towns because of the increased risk to pedestrians, increased noise while window shopping and at the outdoor cafes, window rattling within the shops, and increased risk, congestion, and traffic at and near the railroad tracks.

There are additional funding issues related to safety and noise. Towns can create quiet zones to eliminate train whistles if certain safety equipment is installed. The follow-on costs for this equipment will be passed on to our county. We have a large amount of crossings. And our local municipalities do not have the funds for this. And we have higher priority infrastructure issues that need to be funded instead of this.

These are just some of the issues. There are costs that have not been identified. There are too many unknowns. This is a problem just waiting to land on the back of the taxpayer. And we don't want it.

Overall we do not want the noise, safety risk, costs, traffic, pedestrian, and economic issues that All Aboard Florida brings. There is nothing to benefit the everyday citizen and taxpayer.

Thank you for your time. We would appreciate your help and support on this issue.

Sincerely,
Linda Gandee



Linda Gandee
533 Royal Palm Dr
Melbourne, FL 32935-6958

Nov 5, 2014

Dear Mr. Winkler:

The train in question is (1) block from my recent purchased home in River House II to be exact 8402 Chestnut Dr. Vicco Trl 32976.

An Agent here brought me to see this house on a Sun morning in Aug 2014. On Sunday mornings there are no trains running here. At no time did the Agent advise us about a train that runs this corridor nor anything about Get Ahead Florida. I did not know till I moved in (2) days later I had relocated here from New Jersey so no knowledge was told to us - I sit in the living room early every morning and the window on the French doors rattle and buzz blow from the train with the passing of the train this

is all residential homes here
I wonder how many at the
top of the program would
find this anything but
a disaster with the threat
of the trains and the aspect
of trains they are looked up
to. Then to learn they will be
increasing more and more trains
about the noise and vibration
of the windows and trains,
this is not a good selling
point for Real Estate either.
I hope you get to read my
letter and hope you can see
the other persons difficulties
with this noise -

Thank you for reading my
letter.

Very truly yours
Mrs. Kathleen Lavore
8402 Cherokee Dr.
Miami, FL 33196